

REPORT OF THE COMMISSIONER OF INDIAN AFFAIRS.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, November 27, 1851.

SIR: The limits of a report of this description will admit only of a very general and summary view of the condition of our Indian affairs, and the operations of this branch of the public service during the last twelve months. For detailed information reference must be had to the documents herewith, consisting of the reports of superintendents, agents, missionaries, and others, which contain a mass of facts and speculations, curious, interesting and important.

In the last annual report from this office, allusion was made to mutual aggressions on the part of the Sioux and Chippewas, attended by melancholy incidents of Indian barbarity and folly. In despite of all efforts to prevent it, similar occurrences have taken place within the last year, by which both tribes have suffered, more or less, from depredations upon their property, and in the murder of a number of their men, women and children. No treaty arrangements among themselves appear to be regarded, or are of sufficient force to prevent the deadly enmity which exists between the two tribes from manifesting itself, as often as opportunity offers, in the most shocking atrocities. With this exception, a gratifying degree of order has prevailed among all the tribes with whom we have defined and established relations, and who have felt the controlling influence of the government in directing their pursuits, and in the management of their affairs. Towards our own citizens all have been peaceful and friendly. Most of them have readily yielded to the policy and measures of the department for the improvement of their condition; and such are the advances many of them have made in civilization, that flattering encouragement is not only afforded for continued effort on the part of the government and its agents among them, but on the part, also, of benevolent Christian missionaries, who, with commendable and self-sacrificing spirit have been engaged in imparting to the various tribes the divine truths of Christianity.

During the past summer treaties have been made with various bands of the Sioux Indians, by which they cede a large and valuable extent of country west of the Mississippi river, in the Territory of Minnesota and State of Iowa. To the treaties themselves, and the report of the commissioners on the part of the government by whom they were effected, you are respectfully referred for detailed information concerning these important negotiations. In view of the rapid spread of the white population in the State and Territory within which the lands acquired by these treaties are situated, the growing discontent among the warlike Indians from whom they are obtained, embroiled, as they often are, in difficulties with the Chippewas, and threatening more and more the peace of the frontier in that quarter, the extinguishment of their title to the lands now ceded has long been a subject of serious consideration and desire by the government.

A considerable number of the Chippewas who had continued to reside on the ceded lands east of the Mississippi, in Wisconsin and Minnesota, since the treaties of 1837 and 1842, have been removed during the present year. Indeed, with the exception of the Anse and Vieux Desert bands, together with a portion of the Pellican lake and Wisconsin river bands, an entire removal has been effected. The chiefs and about one-half of the

two last-named bands have emigrated. The remainder, with the Vieux Desert band, were recently reported as suffering severely from small-pox and measles. This, with other causes, will prevent any attempt to remove them until the coming spring, when it is believed such of them as it may be expedient to remove can easily be induced to emigrate. The number removed this year is reported to be three thousand; and including the Anse band, it is supposed that only seven hundred remain on the ceded lands. Apprehensions, however, are entertained, that by reason of the proximity of those who have removed to their old hunting grounds, they will return in considerable numbers, and not only again molest our citizens, but be reduced to destitution and want, as in such event they will forfeit their annuities, and have to depend alone on the wild products of the country, which are now so nearly exhausted as not to afford them the means of subsistence. The same view of this subject induced me heretofore to recommend that efforts be made to concentrate them within proper limits west of the Mississippi, where, with additional means beyond those already provided, arrangements could be made to introduce among them a system of education, embracing the knowledge and practice of agriculture and the simpler mechanic arts. But as the country referred to was not the common property of the whole tribe, part of it belonging exclusively to particular bands who are not parties to any treaties, and who receive no annuities or material aid from the United States, it was also recommended that Congress be asked for an appropriation to defray the expense of negotiating with all the bands for the purpose of acquiring such portions of the country on the east side of the Mississippi as might be required to supply the wants of our white population; providing, also, that the whole of their remaining lands, together with their present and future means, should be the common property of the entire tribe; and that as large a proportion of their funds as practicable should be set apart and applied in such manner as best to secure their comfort, and most rapidly advance them in civilization and prosperity. No action was had upon this recommendation, owing mainly, it is believed, to the shortness of the session, and the pressure of business upon both Congress and the department. I now, therefore, renew the recommendation, satisfied that the policy thus briefly referred to is not only best calculated to promote the future welfare of this large and interesting tribe, but is necessary to save them from actual starvation, as the game on which they mainly depend for the means of living is fast disappearing, and cannot much longer afford them a support.

By permission of the President, the Menomonees still remain on the lands in Wisconsin ceded by them under the provisions of their treaty of 1848 with the United States. In that treaty it was stipulated that they were to be permitted to remain two years from the date thereof, and until they were notified by the President that the lands were wanted by the government. To induce them to remove to the country in Minnesota assigned to them by the treaty, it was also stipulated that it should be explored by a suitable delegation to be selected for that purpose. This exploration took place in the summer of 1850, but from representations made to the department, it appears that the Indians, previously dissatisfied with the treaty, are dissatisfied also with the country assigned to them, and manifest the greatest reluctance to remove. The fall of last year was the period fixed upon for their removal; but owing to their urgent appeals, and those of many of the whites in their immediate vicinity, and in consideration of

their peaceful habits, the President granted them permission to remain until the 1st of June of the present year. At the expiration of this last-named period, it being known that they had made no arrangements, and were in no condition to emigrate, the President again, at their earnest solicitation, consented that they might remain a twelvemonth longer, on condition, however, that they should not interfere with the public surveys, and with the distinct understanding that this extension of time was to be considered an act of favor, they being still subject to removal at his discretion; and of this Superintendent Murray was instructed to take care that they should be fully advised. Of the nature of their alleged grievances the superintendent was also informed, and he was directed, by instructions from this department of the 4th June last, at as early a period as practicable, to acquaint himself thoroughly in regard to their condition, and to make a full report thereof. In order, too, that the President might act advisedly on their petition to occupy permanently a part of the ceded territory, the superintendent was also instructed to examine the country; to report all the facts bearing on this particular subject; and to furnish all other information necessary to a correct understanding of the course of policy proper to be pursued in regard to the future disposition and management of the tribe. In pursuance of these instructions, the superintendent has reported in favor of their being permitted to remain in Wisconsin, on a particular tract of limited extent more remote from the whites than that on which they now reside, and well adapted to their use, and which, from other reliable information, it is understood will not be required by our emigrating population for many years to come. The extreme poverty of this tribe, their harmless disposition and habits, and their inability to remove to the country assigned them without aid from the government, operate forcibly in inducing me to recommend that they be permitted to occupy the tract designated for their future residence by Superintendent Murray in his report, a copy of which is herewith transmitted. Should this course be adopted, another treaty will be necessary, providing, among other things, for a relinquishment of their title to the lands in Minnesota set apart by the treaty of 1848 for their future home; which lands, it is to be remarked, in consequence of their proximity to the Mississippi river, will, in all probability, be more strongly desired for settlement by the whites than those on which it is proposed to allow them to remain. In the mean time, other important questions connected with this tribe, and which formed the subject of a special communication from this office, a copy of which is herewith submitted, may be duly considered, and such provision made for the benefit of this people as the peculiar hardship of their condition and their future well being may appear to require.

A treaty was made with the Ottowas and Chippewas in 1836, by which they cede all their lands in the State of Michigan, reserving however, for their own use, certain tracts and sections therein particularly described. When the treaty came to be acted on by the Senate, it was so amended as to restrict their occupancy of said tracts and sections "for the term of five years from the ratification of the treaty, and no longer," without permission from the United States; in consideration of which it was provided that they should be paid, at the expiration of the five years, or when they surrendered their reservations, the sum of \$200,000, and, until that time, the annual interest on that amount. The five years expired in 1841, but the annual payment of the interest on the \$200,000 has been regularly continued up to the present time, although the Indians have not been required to surren-

der their reservations. Inasmuch, however, as some of the committees of the last Congress indicated a disposition to discontinue these payments of interest, Superintendent Murray was instructed to visit these Indians, and, with a view to the future policy of the government in reference to them, to report their general condition, the contiguity of their settlements to the whites, and the necessity, if any, for their removal in consequence of the emigration to that region. From the flattering account given by him and Agent Sprague of the present condition of these Indians, it appears that there is an unusual degree of improvement and prosperity prevailing among them. Their principal settlements are at Grand and Little Traverse, where they have purchased tracts of land which are well improved. A large share of the money recently paid to them they took to their homes to purchase more lands, and make still further improvements. Many individuals, for the purpose of securing homes for themselves and families, have left the reservations and located on lands in the vicinity, which they have purchased from the government. All this, and the willingness with which they devote themselves to the pursuits of civilized life, commend them to the continued favor and protection of the government. I would therefore recommend, that an appropriation be made by Congress for the purpose of enabling the Department to consummate such measures as are necessary for their permanent settlement in the country where they now reside.

The course of policy heretofore strongly urged by several of my predecessors and myself, in reference to a portion of the tribes located on the borders of the western States, is the only one competent, in my judgment, to save them from being swept away by the rapid and onward current of our white population. While there has been ample outlet at the southwest, below the most southern of our colonized tribes, another of a more northern latitude is required, leading towards our remote western possessions. The recent purchase made from the Sioux of a large portion of their country supplies this outlet in part, and will enable the government, by the removal of a few tribes between the Sioux territory and the Kansas river, to throw open a wide extent of country for the spread of our population westward. This is the only practicable means of saving the border tribes from extinction. Without it, in a few years, they will be forced to abandon their present possessions to an emigrating population, and be driven forth to perish on the plains. All the arrangements necessary and proper to prevent so sad a catastrophe should be made ere it is too late, else an abiding reproach will rest upon our government and people. If timely measures are taken for the proper location and management of these tribes, they may, at no distant period, become an intelligent and Christian people, understanding the principles of our government, and participating in all its advantages. The necessity for an appropriation to carry these measures speedily into effect is the more apparent and imperious, in view of the already imposing demonstrations of public feeling in favor of the early organization of a territorial government over the territory on which these Indians reside.

In a communication addressed to you on the 28th of May last, a copy of which is herewith, I had the honor to recommend, for the reasons therein set forth at length, that the scrip issued for the benefit of the Choctaw Indians should no longer be withheld from those still remaining east of the Mississippi, but that it be paid over to them where they now reside. The superintendent of emigration reports that this and other measures, intended to stimulate their removal west, have had the desired effect, and that, consequently, a large number may be expected to emigrate during the present

year. However this may be, I entirely concur in the opinion of the agent for the Choctaws west, that it will put an end to a long continued system of fraud and speculation upon the government. Were a law passed providing for the payment in money of the funded portion of the scrip, and payments were made west to those only who may be permanently settled in the Choctaw country, the States of Alabama, Mississippi and Louisiana, it is thought, would soon be relieved from the annoyance of an Indian population.

The Winnebagoes seem to be gradually becoming better satisfied with the country to which they have been removed, and, as their general condition is improving, it is hoped they will, ere long, become a thrifty and contented people. Abundant crops have been made at the agency the past season. The Indians assisted in ploughing, planting and harvesting, and displayed not only willingness but anxiety to work. The crops on the Mississippi were not so good, owing mainly to the lateness of the season in which they were planted. A number of log and two frame dwellings have been erected at the agency the past summer, and several more it is expected will be completed before the close of the year. These Indians express great desire to have dwellings, barns, stables, &c., and are fast abandoning their savage habits. A good grist and saw mill will also soon be ready for their use. The agent reports that there are now living within their own country some seventeen or eighteen hundred Winnebagoes. They are represented as being peaceable and well disposed.

The tribes of the Osage river agency, composed of the Weas, Piankeshaws, Peorias, Kaskaskias and Miamies are said to be doing well. They have generally abandoned the chase as a means of subsistence; many of them have engaged in agricultural pursuits; and, during the past season, they have made corn enough to supply them with bread for another year. The Weas, Piankeshaws, Peorias and Kaskaskias are, in fact, but a single tribe. By frequent intermarriages and adoptions, their distinctive characteristics, if any ever existed, have disappeared. They reside upon the same territory, speak the same language, are in constant social intercourse, have similar habits, and in all respects are so completely identified as not to admit of any practical discrimination. They are greatly in advance of the wilder tribes contiguous to them; and, but for the facility afforded them of procuring ardent spirits from the shops that are planted along the borders of the State, a thorough and early abandonment of all their vagrant habits might reasonably be expected. Recently, however, with but few exceptions, they signed a pledge to abstain from the use of intoxicating drinks for the term of twelve months; and, among the Miamies, flattering evidences of a similar reform have been reported to this office.

The condition of the Iowas, Sacs and Foxes, of Missouri, and Kickapoos, is steadily improving. These tribes have made abundant crops the past season, particularly the Kickapoos, whose farms, the agent reports, will not suffer by comparison with those of their white neighbors.

In the early part of the last spring the Sacs and Foxes suffered severely from the small-pox. They lost about one-fifth of their tribe before a check was given to the further spread of the dreadful disease by a vaccination of the remainder. Prompt measures were adopted to prevent the pestilence from being communicated to other tribes, without which there would doubtless have been a wide spread mortality among them.

With the consent of, and encouraged by the Iowas, two bands of Winnebagoes, in number about three hundred, have settled on the lands of the former, principally near the Great Nemaha river, where they have this sea-

son made good crops of corn, and are in a fair way of bettering their condition. By reason of intermarriage and association with the Iowas, to whom these Winnebagoes seem much attached, the most friendly relations exist between them, and all seem anxious that their connexion shall not be disturbed. On the part of the Iowas much devotedness and generous feeling have been displayed, illustrating in a highly creditable manner the sincerity of their friendship for these sojourners of another tribe among them. On several occasions they have gone so far as to request the agent to allow the Winnebagoes to participate in their annuities equally with themselves. This rare evidence of disinterestedness and generosity is of itself sufficient to commend the wishes of these Indians to indulgent consideration on the part of the government; and, when it is considered that these Winnebagoes have manifested an unconquerable aversion to the country assigned to their tribe in Minnesota, it may well be doubted whether the interests of the government and the Indians will not be promoted by permitting them to remain where they are. But it is apprehended by some that serious difficulties may result from the adoption of this policy; while, on the other hand, it is certain that their removal to Minnesota cannot be effected without considerable expense and trouble. No little diversity of opinion exists in relation to this subject, and it presents one of the legionary cases arising out of our Indian relations, in which it is impossible for the department to ascertain with certainty what should be done.

The three commissioners appointed by authority of Congress to negotiate treaties with the Indian tribes in the Territory of Oregon entered upon the duties of their commission in February last. They report that the Indians on the Willamette and lower Columbia rivers are peaceably disposed, but that other tribes north and south of those rivers are wild and fierce. Six treaties have been negotiated by them with the various bands of Calapoogas and Mowlal-les, allowing all the bands reservations on the west side of the Cascade mountains. The Indians refused to have any of their money set apart for agricultural and school purposes, except the Twallalty band, who consented to have a small portion of theirs appropriated for the purchase of agricultural implements. Many of them are good farm hands, and labor in that capacity for the citizens. They profess to be anxious to adopt the habits and customs of civilized life. The country ceded in these treaties comprises that part of Willamette valley, extending southward from Oregon city to Mary's river, and is represented to be the most valuable and thickly settled part of the district.

The commissioners, by whom the treaties referred to were negotiated, being informed by this office that their functions had been abrogated by a recent law of Congress, the commission was dissolved, and the duty of prosecuting negotiations with the Indians in Oregon was imposed on the regular officers of the Indian department in that Territory.

Superintendent Dart reports that he met a delegation from almost every tribe east of the Cascade mountains, and all, except the Snake and Rogue river Indians, were submissive to his authority; and he considers the Indians generally, in Oregon, as the most temperate, peaceful, and easily managed of all our wilder tribes. He has been successful in negotiating several important treaties with them, which are represented as highly advantageous to the government, but they have not yet been received at this office.

From our agents in California much interesting information has been

received concerning the Indians in that State, but it is unfortunately of too desultory a character to be entirely satisfactory. A number of treaties have been made with these Indians, embracing from eighty to ninety tribes or bands; and although considerable opposition by citizens of California to the measures of the agents has been exhibited, yet there is reason to believe that much good has resulted from their efforts to put a stop to hostilities, and secure peace for the future between the whites and the Indians. Of the necessity or expediency of the particular measures adopted by them for this and other purposes, it is difficult, at this distance from the scene of operations, to judge with confidence, especially as there is on some points a difference of opinion among the agents themselves.

In the treaties negotiated with the Indians in California and Oregon there are novel provisions, the practical operation of which cannot be foreseen. Whether they shall be ratified as they stand, is a question which will, of course, be duly considered by those whose constitutional province it is to determine in what form they shall become a part of the supreme law of the land.

The means heretofore placed at the disposal of the department, applicable to Indian purposes in California, have been manifestly inadequate. It is quite evident that, without the expenditures of large sums of money, our Indian affairs in California and Oregon cannot be properly conducted; and in this connection I respectfully suggest the policy of passing a law establishing the office of Assistant Commissioner of Indian affairs for that State and Territory. A general and controlling power, more direct than it is possible for this office to bring to bear, is of the highest importance in the adjustment of our relations with the numerous tribes of Indians in those remote portions of our wide-spread domain.

It will be seen from the reports of the Governor and ex-officio Superintendent of Indian Affairs in New Mexico, that no material change has taken place in the condition of our Indian relations in that Territory since my last annual report. The apparently slow progress which has been made in the work of establishing friendly relations with such Indians of the Territory as have been for years plundering and murdering the inhabitants without fear or restraint, may be justly attributed to a combination of circumstances over which the officers of this department have had no control. The country itself, wild, desert and mountainous; the savage nature and untamed habits of most of the Indians who roam over it; the lawlessness of many of its other inhabitants, often more reckless than the Indians themselves; the scattered, mixed, and heterogeneous character of its population in general—all tend to produce a state of things so discreditable and deplorable, as to render its acquisition a misfortune, and its possession a reproach to the government. To remedy these evils, liberal appropriations of money, and a more vigorous and untrammelled exercise of authority by the civil officers of the Territory, are indispensable.

The usefulness of the agents in New Mexico has been seriously impaired by their failure to obtain from the military the usual facilities. Without the means of transportation, and the escorts necessary to enable them to penetrate the Indian country with safety, it has been impossible for them to go where their presence was most needed, and the good of the service retarded. It is always to be desired that the utmost harmony and concert of action should prevail among the various officers and agents of the government in any way entrusted with the management of our Indian affairs; and

to this end it has been enjoined on the officers of the army and the agents of this department in New Mexico, to consult together and co-operate in all their movements. Unhappily, however, this desirable object has not been fully secured; nor can it be, I apprehend, until the Governor of the Territory shall be in fact, what he is in name, *Superintendent of Indian Affairs*.

Pursuant to the provisions of a late act of Congress, an agent has been appointed for the Indians in Utah; and that full justice should be done to the people of that Territory, and our Indian relations therein be placed upon a proper footing, the discretionary power vested by law in the department has been exercised by the appointment, also, of two sub-agents for said Indians. A delegation of the Shoshonees, or Snake Indians, a disaffected and mischievous tribe, infesting one of the principal routes of travel to Oregon and California, was conducted by the agent to the grand council recently held at Fort Laramie with the wild tribes of the prairies. These Indians were not considered by the superintendent as embraced in his instructions, and were, consequently, not parties to the treaty negotiated with the other tribes. The delegation, however, were kindly received, suitable presents were bestowed upon them, and they returned to their people with more friendly feelings towards the government and the whites. No other information of any importance has been received at this office concerning the Indians in Utah.

The treaties recently concluded by Superintendent Ramsey with the Chippewas, at Pembina, and by Superintendent Mitchell and Agent Fitzpatrick with the wild tribes of the prairies at Fort Laramie, came to hand at so late a period as to afford but little time for considering their provisions; but they are fully explained in the accompanying reports of the commissioners, who, doubtless, have discharged with fidelity and ability the arduous and important duties imposed upon them.

No material change has taken place in our relations with the Indians in Texas. They remain in the same embarrassed and perplexed condition that has characterized them for several years past; and they must continue so, until the anomalous position in which the government is placed in regard to them be essentially changed. In the last annual report it was recommended that commissioners be appointed to confer with the proper authorities of Texas on this subject, with a view to an arrangement for placing the Indian affairs in that State under the exclusive control of the general government. The recommendation is now earnestly renewed; for, until this measure is effected, it is in vain to expect that Indian affairs in that State can be placed on a satisfactory footing. The number of these Indians is far less than is generally supposed. A large extent of territory is not required for them. They are in such condition as to be compelled to starve or steal; and if Texas will not consent to the arrangement suggested, necessary as it is to the security of her frontier, and the very existence of the Indians, she can have no just cause to complain of depredations committed by famished aborigines of the country, who certainly have a right to live somewhere; and nowhere, more certainly, than on the lands which they and their fathers have occupied for countless generations.

The commissioners appointed for the purpose of negotiating treaties with the Indians on the borders of Mexico, and for other purposes, being instructed that their expenditures must not exceed the amount of funds which had been placed in their hands, and finding them insufficient to accomplish the objects of their appointment, deemed it proper to dissolve the

commission. The instructions under which they acted in bringing their labors to a close, together with a condensed account of their proceedings while in service, will be found in the documents herewith submitted.

The Indians in Florida have long been the occasion of enormous expense to the government, and of annoyance to the people of the State, who, with great unanimity, are deeply anxious for their removal to the country provided for their tribe west of the Mississippi river. Recognizing the obligation of the government to persevere in its endeavors to accomplish this desirable object, and satisfied that other means than those heretofore employed were indispensable, the department has deemed it expedient to test the efficacy of individual enterprise, stimulated by the hope of gain contingent on success. This has been done by an arrangement entered into with General Luther Blake, of Alabama, the particulars of which are set forth in his letter of instructions, a copy of which accompanies this report. Many causes combine to render the removal of these Indians a work of extreme difficulty; not the least of which is the offer heretofore made by officers of the army to pay them individually large sums of money, ranging from one hundred to ten thousand dollars, in consequence of which they naturally expect that they will not be required to remove without the payment of equal, or larger amounts than they have already refused. I am by no means sanguine, therefore, that the plan for removing them, now in operation, will be attended with success, but it is worthy of a trial; if it fail, the loss to the government will be a mere trifle; if it succeed, the gratifying result will amply vindicate the wisdom of the experiment.

The *regular estimates* of the office for the present, exceed those of the last year \$59,445. This excess is caused mainly by the increased number of agents and interpreters for New Mexico and Utah, authorized by the act of the 27th of February, 1851, reorganizing this department, and the transfer from the special to the regular estimates of the item, \$43,600, required to pay the interest on Choctaw scrip. The difference between the amount *appropriated* by Congress at its last session on *special estimates*, and the amount of that class of estimates for the present year, is very large, being \$884,954 66, exclusive of the interest on the appropriation of \$725,603 37, to pay the Cherokees, amounting to \$402,802 86. The entire amount appropriated at the last session on Indian account, exceeds the aggregate sum of the regular and special estimates now submitted, \$1,228,312 52. It is proper to remark, however, that additional appropriations will be required, the estimates for which will be submitted as soon as the necessary *data* are in the possession of the office. The explanatory remarks accompanying the estimates, it is hoped, will be found satisfactory, as care has been taken to make them conformable to law.

The second volume of the work published by authority of Congress, under the direction of this bureau, containing information respecting the history, condition and prospects of the Indian tribes of the United States, is in press, and will shortly be ready for distribution. It will be found a worthy sequel to the preceding volume, which was received with so much general favor.

The civilization of the Indians within the territory of the United States is a cherished object of the government. It undoubtedly merits all the consideration bestowed upon it, and the employment of all the means necessary for its accomplishment. There are not wanting those, who, judge

ing from the apparently little success which in some instances has attended the instrumentalities employed, doubt the practicability of the measure. It should be remembered, however, that to change a savage people from their barbarous habits to those of civilized life, is, in its nature, a work of time, and the results already attained, as evinced in the improved condition of several of our tribes, are sufficient to silence the most skeptical, and warrant the assurance that perseverance in the cause will achieve success.

The history of the Indian furnishes abundant proof that he possesses all the elements essential to his elevation; all the powers, instincts and sympathies which appertain to his white brother; and which only need the proper development and direction to enable him to tread with equal step and dignity the walks of civilized life. He is intellectual, proud, brave, generous; and in his devotion to his family, his country, and the graves of his fathers, it is clearly shown that the kind affections and the impulses of patriotism animate his heart. That his inferiority is a necessity of his nature, is neither taught by philosophy nor attested by experience. Prejudice against him, originating in error of opinion on this subject, has doubtless been a formidable obstacle in the way of his improvement; while, on the other hand, it is equally certain that his progress has been retarded by ill conceived and misdirected efforts to hasten his advance. It is even questionable whether the immense amounts paid to them in the way of annuities have not been, and are not now, all things considered, a curse to them rather than a blessing. - Certain it is, there has not at all times been the most wise and beneficial application of their funds. To arouse the spirit of enterprise in the Indian, and bring him to realize the necessity of reliance upon himself, in some industrial pursuit, for his support and comfort, is, generally, if not universally, the initiative step to his civilization, which he is often prevented from taking by the debasing influence of the annuity system. But the system is fastened upon us, and its attendant evils must be endured.

On the general subject of the civilization of the Indians, many and diversified opinions have been put forth; but, unfortunately, like the jaece to which they relate, they are too wild to be of much utility. The great question, How shall the Indians be civilized? yet remains without a satisfactory answer. The magnitude of the subject, and the manifold difficulties inseparably connected with it, seem to have bewildered the minds of those who have attempted to give it the most thorough investigation. The remark of the late Attorney General Legaré, is not more striking than true, that "there is nothing in the whole compass of our laws so anomalous, so hard to bring within any precise definition, or any logical and scientific arrangement of principles, as the relation in which the Indians stand towards this government and those of the States." My own views are not sufficiently matured to justify me in undertaking to present them here. To do so would require elaborate detail, and swell this report beyond its proper limits. I therefore leave the subject for the present, remarking, only, that any plan for the civilization of our Indians will, in my judgment, be fatally defective, if it do not provide, in the most efficient manner, first, for their ultimate incorporation into the great body of our citizen population.

Respectfully submitted,

L. LEA, *Commissioner.*

Hon. A. H. H. STUART,
Secretary of the Interior.

LIST OF PAPERS

ACCOMPANYING THE ANNUAL REPORT OF THE COMMISSIONER OF INDIAN AFFAIRS FOR THE YEAR 1851.

Report of Commissioner Lea and Supt. Ramsey, transmitting treaties with the Sioux Indians.

Report of Supt. Ramsey, transmitting treaty with the Chippewas at Pembina.

Report of Supt. Mitchell, transmitting treaty with Prairie and Mountain tribes at Fort Laramie.

A—Special report of the Commissioner of Indian Affairs in relation to the Menomonees.

B—Special report of the Commissioner of Indian Affairs in relation to Choctaw scrip.

C—Report and other papers connected with the commission composed of Messrs. Todd, Campbell, and Temple, to negotiate treaties with the Indians on the borders of Mexico, and for other purposes.

D—Letter of instructions to Luther Blake, special agent—removal Florida Indians.

Reports of Superintendents of Indian Affairs, Indian agents, and Sub-agents, Superintendents and Teachers of Schools in the Indian country, &c.

NORTHERN SUPERINTENDENCY.

No. 1. Report of Elias Murray, superintendent, and sub-report of W. Powell, relative to a new country for the Menomonees.

No. 2. Report of Agent Sprague.

No. 3. School report of P. Dougherty.

No. 4. School report of L. Slater, supt.

No. 5. School report of George N. Smith.

No. 6. School report of Bishop P. P. Lefevre, and sub-reports of teachers.

No. 6a. Report of F. J. Bonduel, superintendent, &c.

CENTRAL SUPERINTENDENCY.

No. 7. Report of D. D. Mitchell, superintendent.

No. 8. Report of John R. Chenault, Sac and Fox agency.

No. 9. School report of Jotham Meeker, Ottawa mission.

No. 10. Report of Thomas Fitzpatrick, upper Platte agency.

No. 11. Report of J. Lykins, superintendent Pottawatomie M. L. school.

No. 12. Report of Thomas Mosely, junior, Kansas agency, and school reports, marked A, B, C & D.

No. 13. Report of Asbury M. Coffey, Osage river agency.

No. 14. Report of D. Lykins, superintendent Wea and Piankeshaw school.

No. 15. Report of John E. Barrow, Council Bluffs agency.

No. 16. School report of Edmond McKenney.

No. 17. School report of Samuel Allis.

No. 18. Report of Wm. P. Richardson, Great Nemaha agency.

No. 19. School report of Wm. Hamilton.

SOUTHERN SUPERINTENDENCY.

- No. 20. Report of John Drennen, superintendent.
- No. 21. Report of William Wilson, Choctaw agency.
- No. 22. Report of Alex. Reed, superintendent, Spencer academy, Choctaw nation.
- No. 23. Report of John Harrell, supt. for Coffey academy.
- No. 24. Report of Alfred Wright, superintendent female school, Wheelock, and male school at Norwalk.
- No. 25. Report of the same for Tyanubbee female school.
- No. 26. Report of E. Hotchkin, superintendent Kooncha school.
- No. 27. Report of C. Kingsbury, superintendent Chuahla female seminary.
- No. 28. Report of George Butler, Cherokee agency.
- No. 29. Report of Thos. B. Ruble, secretary Methodist mission society.
- No. 30. Report of Philip H. Raiford, Creek agency.
- No. 31. Report of J. Ross Ramsey, superintendent Kowetah school.
- No. 32. Report of R. M. Loughridge, supt. Tallahassee mission.
- No. 33. Report of A. L. Hay, teacher.
- No. 34. Report of John M. Garner, supt. Asbury M. L. school.
- No. 35. Report of D. D. Asbury, Koonchatta School.
- No. 36. Report of D. W. Eakins, teacher.
- No. 37. Report of Kenton Harper, Chickasaw agency.
- No. 38. Report of William J. J. Morrow, Neosho agency.
- No. 39. Report of Samuel G. Patterson, superintendent Crawford seminary.
- No. 40. Report of M. Duval, Seminole sub-agency.

MINNESOTA SUPERINTENDENCY.

- No. 41. Report of Superintendent—Gov. Alexander Ramsey.
- No. 42. Report of Abraham R. Fridley, Winnebago agency.
- No. 43. Report of J. S. Watrous, Chippewa agency.
- No. 44. Report of S. Hall, superintendent of the A. B. C. F. mission.
- No. 45. Report of Nathaniel McLean, St. Peter's agency.
- No. 46. Report of P. Prescott, superintendent of Farms.
- No. 47. Report of Thos. S. Williamson, Kaposia mission school.
- No. 48. Report of S. R. Riggs, Lac-qui-parle mission station,
- No. 49. Report of S. P. Bardwell, Red lake mission.
- No. 50. Report of J. M. Hancock, Red Wing village school.
- No. 51. Report of Gideon H. Pond, Oak Grove school.
- No. 52. Report of S. M. Cook, Kaposia school.

UTAH SUPERINTENDENCY.

- No. 53. Report of J. H. Holeman, agent for the Indians in Utah.

SUPERINTENDENCY OF NEW MEXICO.

- No. 54. Letter from Commissioner of Indian Affairs to Governor Calhoun.
- No. 55. Ditto.

No. 56.	Letter of	Agent J. S. Calhoun,	Feb. 2, 1851.
No. 57.	do	do	Feb. 4, 1851.
No. 58.*	do	do	Feb. 16, 1851.
No. 59.	do	do	March 31, 1851.
No. 60.	do	Governor	May 1, 1851.
No. 61.	do	do	June 30, 1851.
No. 62.	do	do	July 1, 1851.
No. 63.	do	do	July 25, 1851.
No. 64.	do	do	Aug. 31, 1851.
No. 65.	do	do	Oct. 1, 1851.

OREGON SUPERINTENDENCY.

- No. 66. Letter of Commissioners Gaines, Skinner, and Allen, appointed to treat with the Indians of Oregon, dated April 19, 1851.
 No. 67. Letter of Commissioners Gaines, Skinner, and Allen, appointed to treat with the Indians of Oregon, dated May 14, 1851.
 No. 68. Report of Anson Dart—Superintendent.
 No. 69. Letter of A. Dart, of Oct. 9, 1851.

CALIFORNIA.

- No. 70. Letter of the Commissioners appointed to negotiate treaties with the Indian tribes of California, dated May 1, 1851.
 No. 71. Letter of O. M. Wozencraft, May 14, 1851.
 No. 72. do do do July 12, 1851.
 No. 73. Letter of G. W. Barbour, July 28, 1851.
 No. 74. Letter of Reddick McKee, September 12, 1851.
 No. 75. Letter of O. M. Wozencraft, Oct. 14, 1851.
 No. 76. Letter of Adam Johnston, sub-agent, 24th June, 1851.

TEXAS.

- No. 77. Letter of instructions to the special agent in Texas.
 No. 78. Letter of C. S. Todd, March 25, 1851.
 No. 79. Report of Jesse Stem, one of the special agents.
 No. 80. Letter of same, Nov. 1, 1851.

NEW YORK SUB-AGENCY.

- No. 81. Report of C. P. Washburn, late sub-agent.
 No. 82. Report of Asher Wright, superintendent of school.

APPENDIX.

- No. 1. Statement exhibiting the amounts of investments for Indian account in State stocks, &c.
 No. 2. Statement exhibiting the annual interest appropriated by Congress, in lieu of investing the sums provided by treaties and laws, in stocks.
 No. 3. Estimate of office expenses, commencing the first day of July, 1852, and terminating the 30th day of June, 1853.
 No. 4. General estimates.
 No. 5. Explanations to general estimates.
 No. 6. Special estimates.
 No. 7. Explanations to special estimates.

MENDOTA, MINNESOTA TERRITORY,
August 6, 1851.

SIR : We have the honor to submit the following report of the proceedings as commissioners on the part of the United States to negotiate with the Dahcota or Sioux Indians of the St. Peter's and Mississippi rivers, for the purchase of a large tract of their country in the Territory of Minnesota, and also of a considerable area in the State of Iowa, to which the Indian title has not been extinguished.

After making the necessary preliminary arrangements, the undersigned left St. Paul, the capital of Minnesota Territory, on the 28th day of June, 1851, and proceeded to Traverse de Sioux, on the St. Peter's or Minnesota river, in the country of the Seesectoan and Wahpaytoan Sioux, that place having been fixed upon as the most eligible point for holding negotiations with those bands. It was our intention and desire, in the first instance, to meet all the bands in council at some spot near the mouth of the Minnesota river, and to make but one treaty with them all ; but, upon inquiry, we found that the feelings of the upper and lower Dahcotas were so diverse, and their interests, as they imagined, so opposite, that we were constrained to abandon the project of uniting them in one general negotiation.

The upper bands having received, some weeks previous, notice that they would be called together by the first of July, it was expected that they would convene at Traverse de Sioux within a short time after our arrival ; but as these people were under the necessity of furnishing themselves with subsistence by hunting, at a distance from their villages, and as there was great difficulty in traversing the country in consequence of an unprecedented flood in the Minnesota and its tributaries, the Indians, inhabiting the region about the head waters of the river, did not reach the council ground for many days after we were ready to receive them.

Messengers were despatched to hasten their movements, and provisions were transported to meet them on their way ; but they were not disposed to be hurried, and considerable delay was unavoidable. Meanwhile it was imperative upon us to supply the large number already on the ground with daily rations of food, which, rapidly curtailing our stock of provisions, was a matter of serious concern, in view of the fact that our remoteness from the settled portions of the territory precluded the possibility of procuring additional supplies without great difficulty and expense. By extraordinary exertions the chief, and a few of the principal men of the upper Seesectoans, were induced to leave the large body of their delegation, and to hasten forward on horseback to the place of rendezvous. On their appearance it was decided at once to go into council, as the chiefs and headmen of the bands interested were all present.

It was on the 18th of July, full three weeks after our arrival at Traverse de Sioux, that the first council was held. The Indians were told in very distinct terms what their great father's object was in sending commissioners into their country, and a formal proposition was made them for their lands, east of a certain line, and estimated to contain upwards of twenty millions of acres. It was explained to them, that the purpose of emigration rendered it necessary that the whites should be furnished with a larger area, while the comparatively small number of Dahcotas might very advantageously be restricted within more confined limits ; and that the President was disposed to place them in a permanent home, where they might be concentrated, and apply themselves, under the protection of the Government

to learning the arts of civilized life, and particularly that of a proper cultivation of the soil, upon which they must in future depend for subsistence, rather than upon the precarious and uncertain fruits of the chase. They were further told that the President was willing, and desirous indeed, to give them a liberal sum in exchange for their lands which it was the intention to purchase, and which to them could not be considered of much value, and that the purchase money should be so applied as to minister not only to their present wants, but to their future advancement.

It was soon perceived that although there was a vague and indefinite idea on the part of these people that it was necessary for them to sell at least a portion of their country, in order to secure them against the misery and almost starvation which the diminution in the number of the buffalo and other game for the last few years had inflicted upon them; yet, when they were brought to meet the proposition in a distinct and intelligible form, they appeared to shrink, with undisguised reluctance, from taking a step so important in its results. Several days elapsed before they would consent to any but terms of the most extravagant character; some few of their own number, having been taught to read, had impressed them with an idea that their country was of immense value, and they at first refused to treat unless the sum of six millions was paid them. Finally, on the 23d of July, they were induced to sign a treaty, which, while it secures to the Government a large territory, second to none in value in the northwest, embodies provisions of a simple, but most beneficial character for the poor savages themselves, and well calculated, we think, if judiciously carried out, to save and elevate them from their present degraded condition.

Having distributed medals and presents, and conducted our business with the upper bands, we left Traverse de Sioux on the 14th of July, and descended the Minnesota river to Mendota, the trading post, at its mouth, at which point the Medaywakanstoan and Wahpaykootay bands were already in part assembled. On the 29th of July we were enabled to get into council with these Indians, but found the obstacles to negotiating with them successfully much greater than the upper Sioux, difficult as it was to bring them to terms. Several causes conspired to render a treaty with the lower Dahcotas exceedingly difficult of attainment. Among them we may mention, first, their proximity to the flourishing settlements on the east side of the Mississippi, producing necessarily frequent contact with the whites, whose ideas of the great value of the country had been imparted to these Indians; secondly, their great experience in Indian diplomacy, being in the enjoyment already of liberal annuities under former stipulations; and, thirdly, their less necessitous condition in consequence of those annuities; rendering them as indifferent to the making of another treaty at present, as the whites on their borders were anxious that their lands especially should be acquired. Several public councils were unavailingly held before an approach to agreement was had between us. But finally, on the 5th of August, after a tedious session of the grand council, we were enabled to obtain their assent and signatures to a treaty similar in general features to the one negotiated with the upper bands; extinguishing, on moderate but just terms, the Indian title to the splendid region of country Nicolett and others long ago described as the garden spot of the Mississippi valley.

Thus the undersigned, contending with many difficulties, have been enabled to effect two treaties, which may be considered among the most important ever negotiated with our Indian tribes. They are important on

account of the extent of valuable country purchased for a moderate price, and the provisions they embody for the future happiness, prosperity, and civilization of the Indians who are parties to them.

The amount of land acquired by these treaties is computed at over 35,000,000 of acres, and this amount, though large seemingly, is not greater than is consistent with the past policy of the government on this subject; having in 1841 and 1849, as well as now in 1851, instructed its commissioners to embrace in their negotiations with the eastern bands of Sioux, even a larger tract of country than we have just obtained. To have purchased a less number of acres would not have lessened proportionably the price for it, because it was evident to us, in the progress of the negotiation, that the influencing motive to sell at all was to obtain a large and certain amount of money, and that the number of acres in the country relinquished entered but little into the calculation of the Indians. If we had purchased less, we must necessarily have stipulated to pay less—to keep within the limit of our instructions; and this would have defeated the humane policy, now universally regarded as incumbent upon government, of concentrating the Indians within fixed and narrow limits, and of making, at any rate, suitable and adequate provision for their civilization, and early abandonment of the hunter state, for the steady, settled, and more profitable labors of an agricultural life. Still, as all changes in the habits of a people, however rapidly pushed on, must be gradual to some extent, it is gratifying to know that the Indians in this instance will suffer no serious inconvenience by the sudden transfer of their entire country, as they will continue to hunt and fish, as at present, over a large portion of it for a number of years, and until needed for the white settlements. In making a large purchase another consideration had weight. As a general policy, the government should own the lands on which Indians live, or at least the lands to some extent around them. It is thus enabled the better to control the Indians, and prevent wars and outrages among them. In this case, and for this reason, there was strong necessity that a wide expanse of the country owned by the United States should be interposed between the boundaries, respectively, of the Sioux and Chippewas. They are old hereditary enemies, who from time immemorial have carried on a war against each other. Their hunting grounds adjoin, and war parties of either tribe are constantly roaming into the territories claimed by the other. Frequent collisions and loss of life are the consequences; and when the agents of the government call on a tribe to account for lives they have taken, the excuse is offered that the slain were intruding upon their lands; a sufficient justification, according to Indian ethics, for the most atrocious massacres. The insulation of the Sioux, and their sale of the country between their future home and the Chippewa line, together with the allowance to them of annuities, will be more effectual in putting a stop to the war between the two tribes, than an army could be, if kept constantly in the field for the purpose of holding them in check.

The extent of the purchase was augmented, also, by the necessity which existed for extinguishing the title of the four bands of Sioux negotiated with in the two treaties to a large body of land, five or six millions of acres in amount, lying in the State of Iowa, between the line of the old "Neutral ground" and the northern and western boundaries of the State. This tract of country, and generally all lands whatever in the State of Iowa

claimed by the Sioux, were therefore embraced in the articles of cession of both treaties.

The terms upon which the cession of so large a territory was made, are undoubtedly most favorable to the United States, while, at the same time, they are just and liberal to the Indians. From all the information that could be obtained from reliable sources, and judging from what we ourselves saw of a considerable portion of the region purchased, we are satisfied that only a very insignificant portion of it is unfit for tillage and settlement.

The greater part is of unsurpassed fertility, capable of producing all the cereal grains and vegetables common to the middle and northern States, and also admirably adapted to the raising of stock.

The whole cost to the government of the cessions, by both upper and lower Sioux, is nominally \$3,075,000. Of this sum \$575,000 do not bear interest, but are to be paid in hand for various purposes specified in the treaties. The balance, \$2,500,000, is held in trust by government, and five per cent. interest thereon is to be paid, under different heads of expenditures, for fifty years, when the interest ceases, and the principal reverts to the government; so that in one sense, estimating the lands ceded to be worth and to yield the interest on their price, the actual cost to the government for this magnificent purchase is only the sum paid in hand. Nor is any injustice done to the Indians by this arrangement. They receive a liberal provision for fifty years, in which period their civilization will have been effected, if ever it can be at all, and their ability to take care of themselves manifested; when a continuation of the payment of large sums annually would do them no further real good, and be inconsistent with sound governmental policy. The Medaywakanstoan bands of Sioux are already in the receipt of a permanent annuity of fifteen thousand dollars, and with this precedent before them, it was only by taking a determined stand from the first that the undersigned were able to effect the treaties without yielding to the strenuous efforts of the Indians to have their annuities made perpetual. In pursuing this course it was by no means our purpose to act otherwise than justly and generously towards the Indians. While we wished to make a good bargain for the government, we were also anxious to secure to the poor savages a proper provision, in proportion to numbers, for their present wants, and for their future support, comfort, and improvement. The number of Indians who will probably participate in the benefits of the treaty of Traverse des Sioux is estimated at about five thousand, while about three thousand will receive annuities under the treaty of Mendota. Upon the basis of this estimate the price of the lands was in a great measure graduated—keeping in view the principle, before stated, of providing for the adequate present support and prospective improvement of such a number of Indians. This much, at least, irrespective of the amount of land sold by them, we concede to be due from the government to a people who are its wards, and who have peculiar claims to our sympathy, protection and assistance.

In the details of these treaties, and in adjusting the interest payments to various purposes, it was our constant aim to do what we could to break up the community system among the Indians, and cause them to recognize the individuality of property. While the payment of annuities in goods has its advantages, its evil effects are equally apparent. The annual receipt of large quantities of merchandize in bulk, to be divided arbitrarily by the bands themselves, cannot but exercise a powerful influence in keeping up

their present loose ideas of the rights of property. Another objection which experience has shown to this kind of annuities is, that apart from the inequality and partiality attendant upon their division, families and individuals generally receive articles which they do not need, instead of others which they are most in want of. It thus happens that a gun falls to the share of a man who wishes a blanket, and a woman receives a kettle who is already provided with that article. When cash payments are resorted to, and each receives a just proportion, all have the opportunity at least of procuring such things as they desire, while extortion is prevented by the competition among their numerous traders. Our own experience and observation, in this regard, have been confirmed by the testimony of worthy and enlightened missionaries, and of other intelligent and disinterested men, who have watched the workings of the annuity system. They all concurred in stating their convictions that cash payments should entirely supersede those of goods, if the present and ultimate benefit of the Indians is to be consulted. Still, in deference to other intelligent and sincere well-wishers of the Indians, who honestly entertain a different opinion on this subject, and for some reasons of present expediency, we concluded to adopt a medium; and, while allowing liberal cash payments, set apart a moderate amount annually for goods and provisions.

The leading object in both treaties has been to apply a large part of the purchase money to the improvement of the Indians, having a due regard, as before intimated, to their number, character and condition. In addition to the fund for the establishment of manual labor schools, and the annual payment of five thousand dollars for their support, the fund reserved, to be expended annually for beneficial objects connected with the speedy civilization of this barbarous people, will be found to be a much larger proportion than has usually been the case. The general character which the Dahcota nation bears is that of being warlike, but at the same time friendly to the whites, and not indisposed to follow in their footsteps as rapidly as their peculiar superstitious and erroneous ideas, imbibed by them from their childhood, will permit. By a judicious expenditure of the civilization and improvement funds provided for in these treaties, it may reasonably be expected that this powerful branch of the red race will soon take the lead among the northwestern savages in agriculture and other industrial pursuits. By furnishing them the implements of husbandry; and by the employment of farmers, blacksmiths, and other artisans of good character among them to teach them farming and the mechanic arts; by training their youth to habits of industry through means of manual labor schools, for which munificent provision has been made; and by the total exclusion of spirituous liquors from among them, there is reason to hope that not many years will elapse before the Dahcotas will show conclusively the absurdity of the hypothesis that the aboriginal race on this continent are incapable of civilization, and doomed to speedy and utter extinction.

A new and most desirable feature, in our opinion, has been embodied in these treaties. The President or Congress is empowered to prescribe such rules for the government of the Indians themselves as may be deemed proper and expedient. The adoption of such a provision will go far to cure one of the most obstinate evils with which those who labor for the civilization of the Indians have to contend. At present, there is no law but that of the strongest. There is consequently no inducement held out to any individual to be more industrious than his neighbor, or to strive to

amass property of any description. No redress can be obtained in case of depredation and outrage; and so the injured party or his relatives naturally resort to retaliation in kind. The power conferred upon the government to put a stop to this state of things, and to institute tribunals to protect the well-disposed against aggressions from others of the same tribe, and to punish the wicked and depraved, will, if exercised judiciously, operate to encourage the industrious to increase his stores and make himself and family comfortable, and will very soon break up the community system, which is now the bane and curse of these tribes.

It was considered proper to provide by treaty also for the protection of the Indians, that the "trade and intercourse laws," so far as the introduction of liquors is concerned, should remain in force over the ceded lands until otherwise determined by the President or Congress. Although the Dahcotas are reputed comparatively temperate Indians, rarely indulging in the use of spirituous liquors, it was considered proper to throw this additional safeguard around them; and several of the chiefs stated in open council their earnest desire that some stringent measure should be taken by the government to exclude all kinds of liquors from their new home.

The interests of steady and orderly white settlers, who will immediately pour in upon the new purchase, likewise demand that the law should be retained, as the only efficient means of restraining that depraved and pestilent class always found on an Indian frontier, whose despicable occupation is to make demons of both Indians and whites, by an indiscriminate traffic in intoxicating drinks.

One great difficulty to be overcome in effecting these treaties was the selection of a location for the future residence of the bands, equally satisfactory to us and to them. The lower bands of Indians now inhabit a country abounding in timber. They could not be brought to consent to a removal to the open prairie, and it was with much trouble that they could be induced to agree to go to the upper part of the Minnesota valley, where the reservation has been made for the four bands together. This region is sufficiently remote to guarantee the Indians against any pressure on the part of the white population for many years to come; the country which they now inhabit, and from which they are to remove, being very extensive, and well calculated to sustain a dense population. In this new home, which is of comparatively small extent, they will be so concentrated as to be readily controlled and influenced for their real welfare. Farms will there be opened for them, mills and schools established, and dwelling-houses erected; and as gradually the white settlements close in around them, destroying the game and rendering a hunting life impossible, and as they will have within their own territory the means of living with a very little labor on their part, the force of circumstances alone will compel their resort to agriculture for subsistence; and this first great step gained, the rest is easy, and their complete and speedy civilization must inevitably follow. To induce their early location on this reservation it was deemed expedient also to stipulate that no part of the hand-money should be paid them until after their removal, and means were likewise provided to subsist them the first year, it being contemplated to rapidly push on the farms and other improvements, so as always to produce from the soil thereafter enough for their support. Much more might be said, but we have endeavored to make the provisions of these treaties so plain and simple that they would need but little explanation to show their propriety; and we are

well assured they are the best both for the Indians and government that could under the circumstances have been effected.

The region of country acquired by them is larger than the State of New York, and rich, fertile, and beautiful beyond description. It is needed as an additional outlet to the overwhelming tide of migration which is both increasing and irresistible in its westward progress. From the best information we could obtain, thousands are already eagerly waiting to enter upon this new purchase as soon as it is open for settlement. With extreme difficulty can the agents of government now restrain them from rushing forward in advance, and occupying the lands without respect to the rights of the Indians or the authority of law. We are constrained to say, therefore, that in our opinion *the time has come* when the extinguishment of the Indian title to this region should no longer be delayed, if government would not have the mortification, on the one hand, of confessing its inability to protect the Indian from encroachment: or be subjected to the painful necessity, upon the other, of ejecting by force thousands of its citizens from a land which they desire to make their homes, and which, without their occupancy and labor, will be comparatively useless and waste.

Respectfully submitted,

L. LEA,
ALEX. RAMSEY.

HON A. H. H. STUART,
Secretary of the Interior.

ST. PAUL, November 7, 1851.

SIR: On the successful conclusion of negotiations with the Sioux of the St. Peter's and Mississippi rivers, in August last, the undersigned immediately made preparations to further obey your instructions of 16th May, 1851, directing him to visit and treat with the Indians at Pembina, on the Red river of the north, for the relinquishment of their lands in the valley of that river.

The negotiations with the Sioux having occupied a longer time than was anticipated, the season was full late in so northern a latitude to enter upon a journey of hundreds of miles through an uninhabited wilderness. But anxious that another year should not close without something being done to facilitate the acquisition of permanent homes by the large and growing population of those distant regions, I determined, at all events, to proceed with the expedition; and accordingly, the arrangements for the journey being hurried as much as possible, on the 18th of August, accompanied by Dr. Thomas Foster, secretary to the commission, and Hugh Tyler, esq., special agent and acting commissary, I left St. Paul for the rendezvous at Sauk rapids, eighty miles above, where we arrived on the evening of the 20th. The military escort of dragoons, under the command of Lieutenant Corley, having reached that point the same day, on the 21st following, our whole party crossed the Mississippi river just above the rapids, and proceeded westward along the beautiful valley of Sauk river. Forging this stream near where it turns suddenly towards the north, we continued westward through a country principally fertile prairie, flat and rolling, with timber interspersed, and well watered by clear lakes or rapid streams; and on the 28th of August reached the first tributary of Red river, the *Bois*

des Sioux, which, like the St. Peter's, has its source in Lake Traverse. This was the first stream we met too deep to ford, and we crossed it by rafting. Here our course changed, bending strongly northward, until we reached the Shian river, the largest and most important western tributary of the Red river within the borders of the United States. This we were fortunate in being able to cross by a bridge made by the Red river trading caravan last spring. Our course of travel from this river was nearly due north; and at length, on the evening of September 11th, we encamped on the south side of Pembina river, at its mouth, where the waters of the famed Red river of the north first met our view. The next day was occupied in ferrying over the Pembina river to the village and trading post of the same name opposite, where we found the Indians and half-breeds claiming the country assembled in large numbers, awaiting our arrival, a special messenger having conveyed intelligence to the former some time previously, of the purpose of the government to meet them there in council, by its commissioner, to offer them terms for the relinquishment of a portion of their lands.

Having appointed Joseph Nolin and the Rev. James Tanner, the latter a half-breed Chippewa, interpreters, it was ascertained that some of the principal men were not yet arrived; and to give time for them to be present, at the request of the Indians, the opening of council was delayed until Monday following, the 15th.

Meanwhile the half-breeds claimed to be made parties to the negotiations, and to participate in the council, alleging that it was they who possessed the country really, and who had long defended and maintained it against the encroachments of enemies. But on the policy of government, and the impracticability of its treating with its own *quasi* citizens, being explained to them, they were satisfied that their demands could not be complied with; and were made further contented by the assurance that, to any just or reasonable arrangement or treaty stipulation the Indians might choose to make for their benefit, government would interpose no objection.

On Monday, therefore, the council was opened, and continued from day to day throughout the week. On Saturday, the 20th, a treaty was signed, by the terms of which a country, embracing about 5,000,000 of acres in the valley of the Red river of the north, was acquired for the very reasonable sum of \$230,000 nominally; but, considering the manner of its payment, through a period of twenty years, without interest, it may be fairly estimated to cost but about \$100,000, or at the rate of two cents per acre. Low as this is for lands fertile as those of Illinois, and as capable of settlement as any in this territory, it is not improbable the Indians might have been induced, under the pressure of their necessities, to part with them for a much less sum had the representative of the government thought it consistent with its dignity, or honorable to its humanity, to insist upon making the best bargain with poor, ignorant savages it was possible to obtain. I conceived, on the contrary, that, while restrained by my instructions, as well as inclinations, from paying an extravagant price for lands which, however fertile, are remote from the ordinary paths of emigration; yet that, as the guardian of these people—our “children,” as they term themselves—we owed them forbearance, kindness, charity; and that, so far from taking advantage of their ignorance of the relative value of land and money, we should act in a liberal spirit when adjusting the price to be paid for their country, and give them enough to subsist on now, and enable them

to improve hereafter. It was in this spirit I acted; and finding that the whole number of Indians at Pembina and Red lake did not exceed eight hundred souls; and aware, from experience in Indian payments and annuities, that ten dollars per head was as little as would do them any substantial good, enabling them each to procure a blanket for protection from the severities of a northern winter, if nothing more, I did not deem it right to insist on reducing their annuity below that mark; at the same time, however, it was deemed expedient to set off a portion of their annuity, to the amount of \$2,000, for agricultural and educational purposes. As their hunting ranges are circumscribed by our purchasing their land and filling it with settlers, it is plainly a necessity, as well as our beneficent policy, to gradually school the race into different modes of thought and action, aiding them to substitute the improvements of civilization and the certainties of an agricultural life, for the rude discomforts of a savage, and the precariousness of the hunter condition.

It will be observed that no part of the annuity is to be paid in goods, experience in latter years having taught us that cash annuities are, in the end, more beneficial to the Indian; and, in this instance, the cost of transporting goods to so distant a point would have imposed upon government, annually, an additional burden, perhaps equal to the sum of the original purchase.

To satisfy the half-breeds—the actual occupiers of the country—the Indians desired \$30,000 might be paid in hand, to be mainly turned over by them to their relatives of mixed blood; and as the claim of the half-breeds for remuneration in this case appeared to have unusual force, I did not think proper to object to the arrangement, deeming it justly and fairly their due.

Besides fixing the price and mode of payment, I deemed it my duty, in adjusting the other details of this treaty with the Chippewas, to keep in view the same leading feature of government policy which dictated many of the stipulations of the Sioux treaties at Mendota and Traverse des Sioux, to wit, to induce their early adoption of the habits of civilized life, as their only guarantee against utter extinction at a not very remote period, as well as the only effectual means of lessening the cares of government in regard to them. The first step towards bringing about this desirable result was, unquestionably, to put a final stop to their old hereditary war with the Sioux. But it was apparent that, so long as their territories joined, these tribes would have constant pretexts for hostilities in alleged or actual encroachments upon each other's lands. It was considered, therefore, important, in determining the boundaries of the new purchase, that the lands thereby acquired on the east side of the Red river should connect on the south with the country recently ceded by the Sioux. This, with much difficulty and opposition from the Indians, was accomplished, though nearly at the risk of effecting no treaty at all, they alleging the injuries they had received from the Sioux, and contending that they ought not to be "fenced in," as they termed it, from the opportunity of retaliating. I regard this as one of the most desirable features of the treaty.

To facilitate further the grand leading object before mentioned, namely, their civilization, it has been a favorite scheme of government to collect the scattered bands of Chippewas, both east and west of the Mississippi, and concentrate them in the country about the heads of that river. Here they could be permanently settled for all time to come, their lands being entirely unsuited and undesirable for white occupation. Here government could

deal with them as one people; easily restrain them from war, remote as they would be from all opportunity of engaging in it; and merging all annuities received by isolated bands into a common fund, and the lands claimed by each band into a common property of the nation, the work of civilization and improvement could then proceed with some reasonable hope of success. In furtherance of this scheme the article was inserted which provides for the union of the bands, parties to this treaty, with other bands of Chippewas, and for holding all lands and annuities in common, whenever the United States shall secure from the latter a reciprocal arrangement. Not more than three hundred Chippewas roam beyond the western boundary of the present purchase, and it is thought it would not be difficult to induce them to unite with the rest of the tribe, whenever it is concentrated in the manner proposed.

Convinced that the articles of the recent treaties with the Sioux which interdict the introduction of liquor into the ceded country, and which extend to the industrious and peaceable Indian the protection of law against the idle and vicious, are among the most judicious that have ever formed part of an Indian treaty, I secured their insertion in the present one, and respectfully refer to the report of Colonel L. Lea and myself, in August last, for the reasons which sustain their propriety.

In conclusion, it will not be out of place to say a few words respecting the quality of the land purchased, and the reasons why the treaty should receive the sanction of the President and Senate. In 1849, a party of dragoons, commanded by Major Wood, and accompanied by Captain Pope, of the topographical engineers, visited Pembina, traversing the valley of the Red river of the north, in the heart of which lies the country purchased by this treaty. Captain Pope, in his report, (page 6,) thus speaks:

"The valley of the Red river of the north is about three hundred miles in length from north to south, and one hundred and fifty in breadth from east to west, and is bounded on the west by the dividing ridge between its waters and those of the Missouri, called the 'Coteau des Prairies;' and on the east by a line from the head of Red river through the most northern part of Red lake. In this whole extent it presents an almost unbroken level of rich prairie, intersected at right angles by all the heavy timbered tributaries of the Red river from east to west; the Red river itself, running due north through its centre, and heavily timbered on both banks with elm, oak, maple, ash, &c., &c. This valley, from its vast extent, perfect uniformity of surface, richness of soil, and supply of wood and water, is among the finest wheat countries in the world." * * * * "The principal tributaries from the 'Coteau des Prairies,' are the Wild Rice, Slayenne, Elm, Goose, Turtle, Park, and Pembina rivers; almost all these streams are navigable in the spring and summer fifty or sixty miles for flat boats, and probably in high water for vessels of much larger draught, and are well timbered with elm, oak, ash, &c., &c. With their tributaries, and the smaller streams which flow into Red river, they intersect the valley at distances of ten or twelve miles apart; and although on the west side of the river the greater proportion of the country is level prairie, I am satisfied a sufficient quantity of timber can be found for all the uses of cultivation." * * * * "The east side of the valley, I have been informed by the half-breeds who have traversed portions of it, is equally fertile with the west side, and is much better timbered."

My own observation of the country, so far as it was passed over on our

route to and from Pembina, and all the information we could obtain from those acquainted with the valley, fully sustains this description. No finer country exists any where in the Union, and few capable of subsisting a denser population. All the cereal grains and vegetables are produced in abundance, and for grazing purposes it is nearly unrivalled in its advantages.

But though the quality of the country is thus favorable as could be wished, its remoteness from the ordinary track of emigration would long have postponed its purchase, had not a powerful reason for its acquisition existed in the necessity for giving the large and rapidly increasing half-breed population of that distant region, the opportunity they crave, of obtaining a fee simple title to the lands they live upon, and of abandoning the hunter life entirely and becoming tillers of the soil.

Ever since the organization of this territory, and my residence in it, the people, by frequent petitions, and by special committees despatched hundreds of miles to represent their condition, have earnestly urged upon government to give them the opportunity of making homes for themselves in their own lands, to grant them the protection of our laws, and furnish them with the facilities for the administration of justice among them. Made by our statutes citizens, represented in the territorial legislature, they complain that they have been uncared for by government, treated with less attention than even the Indians, standing in the false attitude of tenants at will, as trespassers upon the soil they often defended with their blood from savage foes. It is, I earnestly urge, the duty of government to do something for this interesting and peculiar people; and, as a beginning, to throw the country open to their enterprise and industry, by confirming the present treaty.

Their peculiar situation demands even further favor from government, situated as they are on a remote frontier, which they may be said to guard, and invaluable in a military point of view, should a certain exigency ever occur. Themselves, and the region they live in, present a case similar to that of Oregon Territory, in which the free gift of a quarter section of land to each person would be a judicious policy, and I respectfully recommend its adoption to the consideration of the President and Congress.

All of which is respectfully submitted.

ALEX. RAMSEY.

HON. A. H. H. STUART,
Secretary of the Interior.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
St. Louis, November 11, 1851.

SIR: I have the honor herewith to transmit a treaty concluded at Fort Laramie, between myself and Agent Fitzpatrick, commissioners on the part of the United States, and the following tribes or nations of the Prairie and Mountain Indians, viz: Sioux or Dahcotas, Assenaboines, Arickeras, Gros Ventres, Crows, Cheyennes, and Arrapahoes.

In order to assemble the various and widely scattered tribes at some suitable point, I despatched expresses up the Missouri, Arkansas and Platte rivers early in the spring, with such letters and instructions as I deemed best calculated to insure the attendance of the Indians. The point desig-

nated by me for holding the council was Fort Laramie, and the time fixed for the first of September.

I left St. Louis on the 24th of July, and reached Fort Laramie on the 31st of August, where I found the above named tribes assembled, and impatiently expecting my arrival. Up to this, the different tribes had no intercourse with each other, and had remained encamped on both sides of the river some distance apart. I at once called as many of the principal men together as could be speedily assembled, and explained the objects of the proposed treaty. On this occasion I succeeded in prevailing upon them to agree upon a place that should be occupied as a general camping ground during the pendency of the council. This was done with less difficulty than I anticipated, considering the number of conflicting interests among the whites, and the jealousies and prejudices among the Indians, that had to be reconciled.

We were eighteen days encamped together, during which time the Indians conducted themselves in a manner that excited the admiration and surprise of every one. The different tribes, although hereditary enemies, interchanged daily visits, both in their individual and national capacities; smoked and feasted together, exchanged presents, adopted each other's children according to their own customs, and did all that was held sacred or solemn in the eyes of these Indians to prove the sincerity of their peaceful and friendly intentions, both among themselves and with the citizens of the United States *lawfully* residing among them, or passing through the country.

The most important provisions in the accompanying treaty I consider to be the following: 1. The right acknowledged and granted, on the part of the Indians, to the United States, to establish roads, military and other posts throughout the Indian country, so far as they claim or exercise ownership over it. 2. The solemn obligations they have entered into to maintain peaceful relations among themselves, and to abstain from *all* depredations upon the whites passing through the country, and to make restitution for any damages or loss that a white man shall sustain by the acts of their people. 3. The settling up of all former complaints on the part of the Indians for the destruction of their buffalo, timber, grass, &c., caused by the passing of the whites through their country; the presents received at the time were considered as full payment. 4. The promised annuity of \$50,000 for fifty years, to be delivered in such articles as their changing condition may, from time to time, require. As this is the only article in the treaty that will cost money to the government, I will briefly state the reasons by which I was influenced, and the good results which I believe it will ultimately produce.

Fifty thousand dollars for a limited period of years is a small amount to be distributed among at least fifty thousand Indians, especially when we consider that we have taken, or are rapidly taking away from them all means of support, by what may be considered a partial occupancy of their soil. On the score of economy, to say nothing of justice or humanity, I believe that amount would be well expended. In the opinions of the best informed persons, (who had an opportunity of judging,) it will, in all probability, save the country from the ruinous and useless expenses of a war against the prairie tribes, which would cost many millions, and be productive of nothing but increased feelings of hostility on the part of the Indians and annoyance and vexation to the government. The lessons of experience

taught us during the Florida war, and which are now being taught us by the Indian wars in New Mexico, all admonish us of the necessity of avoiding Indian wars, if possible. Humanity calls loudly for some interposition on the part of the American government to save, if possible, some portion of these ill-fated tribes; and this, it is thought, can only be done by furnishing them with the means, and gradually turning their attention to agricultural pursuits. Without some aid from the government, it will be impossible for them to make an attempt even as graziers. Fifty years it was thought would be time sufficient to give the experiment a fair trial, and solve the great problem whether or not an Indian can be made a civilized man. The laying off of the country into geographical or rather national domains, I regard as a very important measure, inasmuch as it will take away a great cause of quarrel among themselves, and at the same time enable the government to ascertain *who are* the depredators, should depredations hereafter be committed. The accompanying map, upon which these national boundaries are clearly marked and defined, was made in the presence of the Indians, and fully approved and sanctioned by all. As a map of reference, it will be of great service to the department.

Viewing the treaty in *all its* provisions, I am clearly of opinion that it is the best that could have been made for both parties. I am moreover of the opinion that it will be observed and carried out in as good faith on the part of the Indians, as it will on the part of the United States and the *white* people thereof. There was an earnest solemnity, and a deep conviction of the necessity of adopting some such measures, evident in the conduct and manners of the Indians throughout the whole council. On leaving for their respective homes, and bidding each other adieu, they gave the strongest possible evidence of their friendly intentions for the future, and the mutual confidence and good faith which they had in each other. Invitations were freely given, and as freely accepted, by each of the tribes to interchange visits, talk and smoke together like brothers, upon ground where they had never before met but for the purpose of scalping each other. This, to my mind, was conclusive evidence of the sincerity of the Indians and nothing but bad management, or some untoward misfortune, can ever break it.

Respectfully, your obedient servant,

D. D. MITCHELL,
Superintendent Indian Affairs.

Hon. L. LEA,
Commissioner of Indian Affairs.

A.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, April 23, 1851.

SIR: I have had the honor to receive a communication addressed to you signed "R. W. Thompson, attorney for the Menomonee nation," dated 11th October last, and referred by you to this office for examination and report.

The communication of Mr. Thompson I find to be an elaborate and able

argument, the object of which is to establish, according to the rules of law applicable to the facts of the case, the following positions:

First. That the treaty with the Menomonic Indians of 18th October, 1848, should be so interpreted as to mean that they thereby cede to the United States only 3,023,800 acres of land.

Second. That the treaty was effected by means of fraud, imposition, and violence practised upon the Indians by the commissioner who negotiated the treaty on the part of the United States; and

Third. That a new treaty should be made with said Indians, as the proper and only legal mode of redressing the wrongs and grievances of which they complain.

The argument of the attorney for the Menomonies, throughout, presents the whole question as one to be judicially considered and determined according to the strict rules of law governing cases of contract. Confining myself to this view of the subject, so far as the points submitted are concerned, I have arrived at the conclusion that the positions assumed are not well taken.

The material facts and testimony relied on in argument may be stated as follows:

The United States and the Menomonic nation of Indians made a treaty at Lake Powa-na-kay-kow-nay, in the State of Wisconsin, on the 8th of October, 1848.

The second article is in these words, to wit: "The said Menomonic tribe of Indians agree to cede, and do hereby agree to cede, sell, and to relinquish to the United States, all their lands in the State of Wisconsin, wherever situated."

As preliminary to the making of this treaty, the question was submitted to the Attorney General of the United States to determine the extent and quantity of the lands owned by these Indians. He gave an opinion on the 13th September, 1848, in which he examined the several treaties previously made with the Menomonies, and the agreement between them and other tribes in relation to their boundaries.

The result of his inquiry was—

"1st. That the Menomonies have no reasonable pretensions to the west of Black river, which they indicated in the treaty of 1825 as the extent of their claim in that direction.

"2d. That they have none beyond the limits which they specified and claimed in the treaty of 1831; and that the United States, having since purchased of other tribes the lands beyond those limits, cannot be called upon to pay for them again.

"3d. That within those limits they have no title whatever to the large triangular tract adjacent to and west of the line established between them and the Chippewas by the treaty of 1827—they having then relinquished any claim of title to the Chippewas.

"4th. That subject to the three foregoing restrictions they may cross the Wisconsin into the territory claimed by the Winnebagoes and show a title better than theirs, if they have one.

"5th. That the treaties of 1825 and 1827, fairly interpreted, with reasonable and legitimate inferences, would prevent them from crossing the line of 1825, into what was then regarded as the Chippewa territory, and preferring any claim there.

"6th. That the treaty of 1836 so far countenances some claim to the

north of that line as to render it expedient, upon reasonable terms, to extinguish it, if a treaty should be made for the purchase of their acknowledged possessions."

After this opinion of the Attorney General was given, the Secretary of War issued his instructions to the commissioner who was appointed to negotiate the treaty. These instructions were dated September 14, 1848, and contained the following directions, to wit:

"In consequence of the conflict and confusion as to the true boundaries of the Menomonic country within the limits of the State of Wisconsin, I have taken the opinion of the Attorney General of the United States on the subject, and enclose to you a copy for your information. The President is disposed to treat the Indians with kindness and liberality; and while the extreme claims of the Menomonies to territory already purchased by the United States from the Chippewas and Winnebagoes cannot be recognised, you may, if a treaty can be effected at a cost *per acre* of the estimated quantity of land within the limits suggested by the Attorney General, *not exceeding that paid by the United States under the treaty with the Menomonies of September 3, 1836*, provide in the treaty for the purchase of all their claims to lands in Wisconsin, and stipulate for the payment of a sum *not exceeding the same rateable price as in the same treaty above referred to*: the quantity of land estimated to be within these limits, and to form the basis of your calculation of price, is *three millions twenty-three thousand and eight hundred acres.*"

Accompanying these instructions there was a map, prepared at the Topographical bureau, under the direction of this office, in accordance with the foregoing opinion of the Attorney General. The area marked out on the map as the Menomonic tract was estimated to contain the number of acres mentioned in the instructions, to wit, 3,023,800.

On the 12th of December, 1848, the commissioner of the United States reported to the Secretary of War that he had consummated the treaty.

He said, "You will perceive that the Menomonies cede to the United States *all their lands in the State of Wisconsin, without any reservation whatever*; and that the resolution of the Senate of the 3d March, 1843, has, in all other respects, been strictly observed.

"Some controversy had arisen in relation to the extent and boundaries of the country owned by these people, the principal chief claiming nearly *eight millions of acres*, whilst the department conceded to them a much less quantity. The matter was referred to the Attorney General, who, upon a full examination of the numerous treaties heretofore made, as well with this as the various other tribes which formerly inhabited that region of country, gave an elaborate and satisfactory opinion on the subject. I was accordingly *limited in the recognition of their rights*, as will be seen by the letter of instructions, to 3,023,800 acres, and to the *same rate of compensation therefor which was paid for the land acquired from the same tribe by the treaty of 1836.*

"By the latter treaty the said Indians ceded to the United States 4,184,320 acres of land, for which they were to receive \$791,310 50, payable in the manner therein stipulated. A similar rate of compensation would make the 3,023,800 acres amount to \$571,840. But I ascertained while in the country that there was an error in the map which was before the Attorney General, in relation to the location of a small lake that determined the course of one of the boundary lines, and which, if so corrected

as to conform with the representations there made, would probably increase the number of acres which I was authorized to recognise as belonging to the Indians to about 4,000,000. This latter quantity, at a rate of compensation similar to that paid in the treaty of 1836, would amount to \$756,453.

"By the treaty now submitted, the compensation stipulated to be paid by the United States, in addition to the country set apart for the Menomones west of the Mississippi river, is \$350,000, which is less than two-thirds of the maximum I was authorized to offer, and less than one-half, provided the error aforesaid should be corrected in the manner suggested, and the title of the Indians recognised to 4,000,000 of acres."

As Commissioner of Indian Affairs, in his annual report for the year 1848 and 1849, he thus speaks of this purchase :

"This important object, which unfavorable circumstances and influences have heretofore prevented being effected, has at length been attained, a treaty having recently been negotiated with them, the Menomones, by myself, in their country, under instructions of the 14th September last, by which they cede all their lands in Wisconsin, containing about 4,000,000 of acres," &c.

On the 4th September, 1850, a deputation of the Menomonie Indians, consisting of nine chiefs and headmen, who were then in Washington, presented to the President of the United States, in behalf of their nation, a memorial, wherein among other things they allege that they were "*imposed on*" in the making of said treaty; and of the commissioner who made it they speak as follows: "He told them in council that they did not own more land in Wisconsin than from *one and a half to two and a half millions of acres.*"

"He exhibited to them a map which he said was made at Washington, setting forth the boundaries of their lands, and showing what he represented as the quantity owned by them. *They* also had a map of their country, which was shown to him as containing the lands set apart and recognized as theirs by their former treaties with the United States; but he refused to have anything to do with it, and persisted in his aforesaid representation of the quantity, denying that they had any title beyond the lines laid down on his map." "He told the nation he would not give them more than the \$350,000 for said land, and threatened them with the authority of the United States, and its power to remove them at its pleasure, if they did not sign the said treaty."

"He threatened to degrade those of their chiefs who opposed the treaty, if they did not consent to the terms which he proposed; and declared that if they persisted in refusing to sign it, he would *remove them*, and appoint other chiefs who would sign it. Thus he induced some of their chiefs to sign said treaty *from fear*, and because they supposed that the United States would force them off their lands if they did not willingly sell and cede them."

"He told them expressly that if they signed the treaty, and the country set apart for them on the west side of the Mississippi was not good and suitable for them, they should be removed to a better country somewhere else."

"Although he professed to have the boundaries of all their lands marked out on his map, yet he did not describe the lands ceded in the treaty by these bounds; he made the treaty read so as to cede '*all their lands in the*

State of Wisconsin, wherever situated, so as to include what was marked off on their map as well as his."

"When he returned to Washington he represented to Congress, in his annual report for 1848-49, that he had purchased of them, by this treaty, a tract of country containing 4,000,000 acres, which was nearly or quite twice as much as he represented to them that they owned."

On the same day that the memorial from the delegation of the Menomonic nation was received at this office, a communication was laid before the President of the United States from Thomas Wistar, jr., and Alfred Cope, two members of the Society of Friends, the first of whom had been selected by the President in the spring of 1849 to make a payment of the sum of \$40,000 to said Indians. This letter has been referred to this office.

The authors of it say, in reference to the aforesaid treaty :

"But did they make a treaty in any proper sense of the term? The Friends, on inquiry, had reason to believe that the treaty, as it is called, was imposed upon this unhappy and helpless people by the strong hand of power. They resolutely refused to sell their lands, until they were told by the United States commissioner that they had no alternative but submission to the terms prescribed, or expulsion without remuneration."

After having presented the aforesaid memorial to the President of the United States, through R. W. Thompson, esq., they, the Menomonies, on the 9th of September, 1850, constituted and appointed said Thompson the true and lawful attorney of the said tribe, to act for and in the name of the said tribe in seeking redress for their alleged wrongs; and they requested the President to recognize him as their sole and only attorney for said purpose. This power of attorney was signed by the chiefs and headmen who constituted the deputation of said nation in this office, and was interpreted to said chiefs, and acknowledged by them in the presence of the then acting Commissioner of Indian Affairs.

These are the main facts in the case upon which the counsel of the Menomonies bases his argument.

I will now proceed to consider the positions he has assumed, in their order.

In support of the first position numerous authorities are cited, but the whole argument on this point presupposes that the treaty presents a case for *interpretation*, and all the authorities cited apply exclusively to such a case. In my judgment, this assumes for true what is not shown to be true, and what, in view of the terms of the treaty and the well settled rules of law, cannot be assumed. It is necessary, says Vattel in his chapter on *interpretation* of treaties, to establish rules founded on reason, authorized by the law of nature, capable of diffusing light over what is obscure, of determining what is uncertain, and of frustrating the views of him who acts with duplicity in forming the compact.

Let us begin with those that tend particularly to this last end; with those maxims of justice and equity which are calculated to repress fraud and to prevent the effect of its artifices.

The first general maxim of interpretation is, that it is not allowable to interpret what has no need of interpretation. When a deed is worded in clear and precise terms—when its meaning is evident, and leads to no absurd conclusion—there can be no reason for refusing to admit the meaning which such deed naturally presents. To go elsewhere in search of con-

lecture, in order to restrict or extend it, is but an attempt to elude it. If this dangerous method be once admitted, there will be no deed which it will not render useless.

However luminous each clause may be, however clear and precise the terms in which the deed is couched, all this will be of no avail if it be allowed to go in quest of extraneous arguments to prove that it is not to be understood in the sense which it naturally presents. (*Vattel, sections 262, 263.*)

The same author lays it down as another general maxim, that, on every occasion when a person could and ought to have made known his intention, we assume for true against him what he has sufficiently declared. This is an incontrovertible principle applied to treaties; for if they are not a vain play of words, the contracting parties ought to express themselves in them with truth, and according to their real intentions. If the intention, which is sufficiently declared, were not to be taken, of course, as the true intention of him who speaks and enters into engagements, it would be perfectly useless to form contracts or treaties. (*Vattel, sec. 266.*)

I have quoted the foregoing passages at length, because numerous extracts from the same author are introduced in the argument of Mr. Thompson, and because they forcibly illustrate the rules and principles of law which are decisive of the first point presented for consideration.

The terms of the treaty have been already quoted, and are so plain, definitive, precise and determinate, as not to admit of doubt. Certainly, if meaning precludes interpretation; or, in the language of Vattel, "it is not allowable to interpret what has no need of interpretation." I conclude, therefore, that the Menomonies have ceded "all their lands in Wisconsin, wherever situated," be the quantity what it may, unless the treaty is void for fraud; and this leads to the consideration of the second position assumed by their attorney.

In view of the peculiar relations existing between the government and the Indians within our limits, it is much to be desired that all our dealings with them should be characterized by justice and liberality. It is difficult to conceive of a charge more odious in its character, than that a treaty with a feeble and dependent tribe, solemnly ratified and confirmed by the Senate and President, as part of the supreme law of the land, has been effected by means of fraud and oppression. When governmental action is invoked, predicated on such a charge, its truth should be clearly and satisfactorily established. In the present case, the testimony on this point is mainly *ex parte*, and so far inadmissible on legal principles; but waiving objections to its character, and giving it all the weight it would be entitled to if regularly taken, it goes to show improper and reprehensible conduct on the part of the commissioner in negotiating the treaty, rather than the perpetration of an actual fraud. It consists, in part, of the affidavits of *ten persons*, who all concur in stating that the commissioner represented to the Indians, at the time the treaty was made, that they owned only *one million six hundred thousand acres* in the State of Wisconsin. The same witnesses concur also in stating, that the commissioner told the Indians that the sum he allowed them by the treaty, \$350,000, was more than he was instructed to pay them. They also state that he used menacing language towards the Indians, and threatened that they would be removed from their lands by force, if they did not sign the treaty; and that, in their opinion, the

Indians executed the treaty under the influence of those threats and menaces.

This testimony is fully set forth in the extracts which follow :

Amos Dodge, a citizen of the State of Wisconsin, deposes " That he was at Lake Pow-an-kay-kon-nay, in the month of October, A. D. 1848, and attended the treaty councils held by William Medill, then Commissioner of Indian Affairs, with the chiefs and headmen of the Menomonic tribe of Indians, and that said Medill, in said councils, repeatedly told said Indians that their tract of land contained only about *sixteen hundred thousand acres*; that he was offering them *more* for the same than he was instructed by their great father to pay therefor; that at the last council he told said Indians, should the land on Crow-wing river not suit them, that the President (their great father) would make other arrangements for obtaining a new home for them to their satisfaction; and that the speeches of said Medill in said councils were filled with threats and menaces towards said Indians, by which means (in part) he was able to obtain (as he did) a signed treaty."

Conrad J. Coon, Talbot Pricket, Walter T. Webster, William Dickenson, Archibald Caldwell, George Conn, and L. H. Dickenson, all testify to the same; and, in addition, swear that they " verily and truly believe that said Indians signed the treaty of October 18th, 1848, under the belief that, should they refuse, the Government of the United States would violate their repeated pledges of protection, and send troops to force them to leave their homes."

Walter H. Besly and John H. Kitson testify, on oath, to the same; the latter adding, that the chiefs in council told said Medill that the hearts of their people were loaded with grief; and that at the last council, when the treaty was signed, *Osh Kosh*, the head chief, said to his fellow chiefs then in council: "My friends, we cannot do otherwise, we are forced into it."

In addition to the above, other testimony, having reference to the general facts, but not to the representations of the commissioner as to the quantity of land owned by the Indians, is presented.

It consists of the affidavits of Charles Giesse, Franklin Cowden, Edward Deker, and Edward H. Sawyer, all of whom testify to being at the making of the treaty; affirm that representations were made by the commissioner whereby the Indians became alarmed, and were induced to execute the treaty; and this testimony is corroborated by a written statement of the Rev. F. J. Bonduel, superintendent of the school, and missionary pastor among said Indians.

The testimony thus briefly alluded to is full and explicit upon all the alleged points of wrong and grievance of which the Menomonies, in their memorial complain; but does not, as already stated, amount to legal proof of fraud.

No where is it shown that the Indians were deceived by the alleged misrepresentations of the commissioner as to the quantity of land owned by them. From all that appears, they adhered throughout to the opinion that they owned much more than they in fact possessed.

Neither they nor the commissioner knew, or could know, the precise quantity; and, from the nature of the transaction, the contract must be considered as one of hazard. It is proper, too, in this connexion to observe, that written statements are on file in this office which contradict many of the allegations of the memorial, and are at variance with the testimony

presented by the counsel for the Menomones; they were made in answer to a petition from the "*Christian party of the Menomones*," previously submitted to the President and referred to the Department. In it were charges against the commissioner who negotiated the treaty, identical with those in the memorial subsequently presented by the "*Chiefs and head-men of the Menomone nation*," now under consideration.

These statements are made at length in answer to all the grievances complained of in said petition; but I design to refer only to such portions as bear upon the points now to be determined.

William H. Bruce, the sub-agent, to whom a copy of the petition had been transmitted by this office, states that he was present at the making of the treaty, and denies that any thing derogatory to the character of the gentlemen employed in making it took place. He adds, if a mistake was made by Mr. Medill, it was owing to the maps before him. He also submits:

1st. A letter from the Hon. M. L. Martin, in which it is stated that he (Mr. Martin) was present with Commissioner Medill at the making of the treaty, and that every charge, either direct or by implication, against the latter, of improper conduct, is destitute of truth.

2d. A letter from A. G. Ellis, in which it is stated that the charges against Mr. Medill are gratuitous and malicious; that the latter exhibited great kindness and patience to, and used no concealment with the Indians; that the opposition to the treaty came, not from the Indians, but from the half-breeds, the traders, and their missionary.

3d. The deposition of Samuel Ryan, which sustains the foregoing; and,

4th. A letter from Col. Francis Lee, U. S. A., in which he says, with some facts to give plausibility to the whole, the petition of the Christian party is a tissue of cunning fabrication; looks upon it as a scheme to get money out of the treasury.

The statements thus briefly referred to, and which are, in part, intended to exonerate the commissioner from the charges preferred against him, of misrepresentation, fraud, and violence in effecting the treaty, will be transmitted to you, in order that all the testimony in the possession of this office, bearing upon this important subject, may be laid before the President.

It remains then to be considered whether, under all the circumstances attending the making of the treaty of 1848, the appeal of the Menomones to the clemency and justice of the government should be regarded. Sound policy, it is respectfully suggested, would indicate that it should. A feeble and dependent people, with, to say the least of their pretensions, a claim to the protection and guardianship of the government, appealing to its clemency, where evidently they have not been dealt with as it was designed they should have been by those in authority, should not appeal in vain. In the language of the letter of instructions from the Secretary of War to the commissioner who made the treaty, these Indians should *now* be treated as the President was then disposed to treat them, "*with kindness and liberality*;" and this leads to the consideration of the third proposition submitted by their attorney.

"That a new treaty should be made with said Indians as the proper and only legal mode of redressing the wrongs and grievances of which they complain."

Admitting the proposition above stated, to the extent that a new treaty is a proper and legal mode of granting the relief prayed for by the Indians,

yet, in my opinion, it is not the only, nor the most eligible mode of "redressing the wrongs and grievances of which they complain."

It is subject to the objections of *delay and expense*, both of which may be obviated, if the remedy I shall suggest be adopted by the President.

By the treaty of 1831, provision was made for the manner in which the lands set apart as the future home of the tribe should be subsequently acquired by the United States; the provision to this effect was as follows:

"The boundary, as stated and defined in this agreement, of the Menomonic country, with the exception of the cessions hereinbefore made to the United States, the Menomonies 'claim as their country;' that part of it adjoining the farming country, on the *west* side of the Fox river, will remain to them, as heretofore, for a hunting ground, *until the President of the United States shall deem it expedient to extinguish their title.* In that case, the Menomonic tribe promised to surrender it immediately, upon being notified of the desire of the government to possess it." *The additional annuity then to be paid to the Menomonic tribe, to be fixed by the President of the United States.*

Subsequent treaties did not abrogate the foregoing provision, and by it ample power is given to the President to do full justice to these Indians. It is respectfully suggested, that the clear meaning of this provision is, that the President should have power to extinguish the title *without a treaty*, and by mere notice; for it says, "In that case," that is when the President shall deem it expedient to extinguish the title, "the Menomonic tribe promise to surrender it immediately, upon being *notified* of the desire of the government to possess it." And it further provides for the mode of compensation, or the sum to be paid, when the title is extinguished. This is also to be fixed by *the President.* It says, "*the additional annuity then to be paid to the Menomonic tribe, to be fixed by the President of the United States.*" By this it is evidently intended to leave the whole question in the hands, and subject to the will of the President.

Should the President decide to exercise the discretionary power vested in him by the treaty of 1831, the *amount* of the "*additional annuity*," the manner of payment, whether in money or goods, and the several dates at which payments shall be made, will have to be determined.

In fixing the *amount*, it may be well to refer to the instructions which preceded the negotiation of the treaty of 1843, and to the report of the commissioner after it was consummated.

The Secretary of War, in his instructions to Mr. Medill, after informing him of the disposition of President Polk to treat the Indians with kindness and liberality, directed him to effect a treaty, at a cost, per acre, of the estimated quantity of land, "*not exceeding that paid by the United States under treaty with the Menomonies of September 2, 1836,*" and estimated the quantity to form the basis of his calculation of price, at 3,023,800 acres.

By the treaty of September 3, 1836, it appears, from the report of the commissioner, that 4,181,320 acres were ceded to the United States, for which the Menomonies were to receive the sum of \$791,510 50. A similar rate of payment would, as stated by the commissioner, make the 3,023,800 acres amount to \$571,840. He, however, negotiated the treaty, which acquired for the United States all the lands claimed by the Menomonies in Wisconsin, for the sum of \$350,000, a sum far ~~short~~ of the maximum which he was authorized to offer. The number of acres, it appears from the same

report, exceeded the estimate of the Secretary of War, being about 4,000,000; and this latter quantity, at a rate similar to that paid in the treaty of 1836, would amount to \$756,453.

It appears, then, by the treaty of 1836, the price paid for the 4,184,320 acres was 18.9 cents per acre; at the same rate, only 1,851,851 acres would have been acquired for the \$350,000, paid under the treaty of 1848. It is alleged, however, by the Indians, that Mr. Medill stated that they owned only 1,600,000 acres, and that he was paying or offering them more for their lands than he was authorized by the President to offer. When, therefore, it is considered that 1,600,000 acres, at the *maximum* which the commissioner was authorized to offer, amounts to \$302,400, and that it is alleged that he told the Indians he was agreeing to pay more than he was authorized to pay, there is reason to believe, and it is in evidence, that such a statement was made to them; and although it does not appear that they were deceived by it in regard to the quantity which they owned or claimed, yet it may be worthy of consideration, in connection with the other facts and circumstances, in determining the additional compensation proper to be allowed them.

It is known that these people are helpless and dependent. Great dissatisfaction exists among them by reason of the treaty of 1848. The impression which generally prevails among *our own* citizens in their vicinity is, that they have been hardly dealt with, and that the terms of their contract bear heavily upon them. The lands which, by the treaty of 1848, they have surrendered, are exceedingly valuable, and in extent, as computed at the General Land Office, exceed *five millions of acres*. To pay them now, what the government under the administration of President Polk was willing to pay, is the least, taking all the circumstances into consideration, which, in the opinion of this office, it should do. The quantity then estimated to form the basis of Mr. Medill's calculation of price was 3,023,800 acres. This, at the maximum which he was authorized to pay, would amount to \$571,840; and this is the least sum, after deducting the \$350,000 already paid, which, in my opinion, the government ought to pay, or which would satisfy the Indians. With this amount of additional annuity properly applied, it is believed they would be content; it will satisfy them that the government designs to do them justice, and will so impress them with a sense of gratitude, as to make them more obedient to those instrumentalities which may in future be employed to bring them under the influence of civilization and Christianity.

Intimately connected, too, with the settlement of this question is the fact, that the period is rapidly approaching when these Indians will have to remove from their present residence to the one provided for them west of the Mississippi. The expenses of their removal they will themselves have to defray, and this is an additional reason why the most favorable consideration should be given to their petition for relief. Besides affording them the means of removing, a knowledge that an additional annuity had been granted to them would, no doubt, have a most beneficial effect in conciliating their good will, and leading them to a more ready acquiescence in the policy and measures of the government in regard to their future management.

The papers submitted by you are herewith returned, together with the

memorial of the "Christian party" of the Menomonies, and the statements in answer thereto, to which reference has been made in the foregoing.

Very respectfully, your obedient servant,

L. LEA, *Commissioner.*

Hon. A. H. H. STUART,
Secretary of the Interior.

B.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, May 28, 1851.

SIR: I have the honor to state, that by the fourteenth article of the treaty with the Choctaws at "Dancing Rabbit creek," each Choctaw head of a family, desirous of remaining and becoming a citizen of the State, on signifying his intention to the agent within six months after the ratification of the treaty, was entitled to six hundred and forty acres of land; each unmarried child, over ten years of age, living in the family, to three hundred and twenty; and each child, under ten, to one hundred and sixty acres, to be secured to them in fee simple, provided they resided on the lands for five years from the ratification of the treaty, with the intention of becoming citizens; but should they ever remove, were not entitled to any portion of the annuities of the nation.

From circumstances beyond their control, many of the Choctaws had been prevented from complying with the condition imposed by the treaty; accordingly in 1842, Congress passed an act authorizing the appointment of commissioners to investigate their claims, whose report, so far as confirmed by the President and the Secretary of War, should be final. In all cases where the land could be allotted to them consistently with the provisions of the treaty, it was to be done, but where the land was sold, or so encumbered as to prevent its being assigned to them, they were to be given *certificates or scrip*, entitling them to enter elsewhere the quantity assigned to them on unsold lands of the United States, one-half of which was not to be delivered until their removal west of the Mississippi; leaving it, however, discretionary with the department to deliver the other half either east or west as might be deemed advisable. The half not deliverable east, was subsequently funded at the rate of one dollar and twenty-five cents per acre, allowing an annual interest of five per cent. Those who remained east were found not to prosper, and at the earnest solicitation of the delegations in Congress from Alabama and Mississippi, the government took them again in charge, and assumed the obligation of removing all who could be prevailed upon to remove west. Instructions were at first given that the scrip should not be delivered to the Indians until after their removal west, unless its payment east would facilitate their emigration; most of it, therefore, was paid east; but, in consequence of a contest between speculators and those preferring claims against the Indians, it was thought that this mode of payment retarded rather than expedited their emigration. Accordingly, in 1847, instructions were issued that in future *scrip should be withheld from the Indians until after their removal west*. I am satisfied, however, from personal observation, and from information on which I can rely, that the interests of the government and of the Choctaw Indians re-

maining in the State of Mississippi, would be promoted by having the scrip issued for the benefit of said Indians paid to them where they now are, instead of withholding it until they emigrate to the Choctaw country west of Arkansas. The present arrangement is regarded by the Indians as unjust and oppressive; they are consequently disaffected towards the government, and are disposed to stand out with obstinate resistance against the influences employed to effect their removal. In this they are encouraged by designing white men who are interested in retarding their removal. The payment of the scrip to them where they are, and at an early day, would conciliate their good will, incline them to yield to the wishes of the government, afford them the means to remove, of which it is believed many may be induced to avail themselves, protect them from fraud and imposition, curtail public expenditures, and advance the interests of Mississippi. I therefore respectfully recommend that the scrip, to which said Indians are entitled in Mississippi, be paid to them without unnecessary delay, and that William H. Bowman, of that State, be appointed as special agent of the department for the purpose of making said payment.

Very respectfully, your obedient servant,

L. LEA, *Commissioner*.

Hon. A. H. H. STUART,
Secretary of the Interior.

C.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, April 3, 1851.

GENTLEMEN: I regret having to inform you that Congress adjourned without making an additional appropriation applicable to the service in which you are engaged. An estimate of \$50,000 was regularly submitted, and in a form best calculated to secure favorable action. It was followed up by earnest representations of the necessity for the appropriation, but the efforts to obtain it were entirely unavailing. The quartermaster's department also declines affording you any facilities, on the ground that the appropriations for that branch of the public service were reduced fifty per cent. below the estimates, and that the purposed hostile expedition against the Indians in Texas will require all the available means of the department in that quarter. Your entire expenses, therefore, will have to be paid out of the \$30,000 heretofore placed in your hands, and your expenditures must be limited to that amount.

From the facts and views presented in your despatches, there is reason to fear that the means at your command are so inadequate that but little if any good would result from the further prosecution of your labors, especially as your functions as negotiators are abrogated by a recent act of Congress, which provides, "that hereafter all Indian treaties shall be negotiated by such officers and agents of the Indian Department, as the President of the United States may designate for that purpose, and no officer or agent so employed shall receive any additional compensation for such service." But whether it is best that your commission be dissolved at once, or its operations continued until your funds are exhausted, is a question which the department desires you will decide for yourselves, not doubting

that your decision will be governed by an enlightened judgment of what the public interest requires.

Should you conclude to terminate your commission without proceeding further, you will turn over the public money and property in your hands to John H. Rollins, agent for the Indians in Texas, or to the quartermaster of the army at San Antonio, as may be most convenient, taking his receipt for the same. In case you determine to extend your operations, you will of course realize the importance of conducting them in the most economical manner.

Very respectfully, your obedient servant,

L. LEA, *Commissioner.*

Messrs. C. S. TODD, ROBT. B. CAMPBELL, and O. P. TEMPLE,
Commissioners, San Antonio, Texas.

WASHINGTON, August 23, 1851.

SIR: In virtue of the commission, bearing date the 5th October, 1850, which the President was pleased to confer upon us under the appropriation made by Congress on the 30th September, 1850, for "obtaining statistics, and making treaties, &c., with the various Indian tribes on the borders of the United States and Mexico," and in pursuance of the instructions received from your office on the 15th October, we proceed to report to you, that we entered promptly upon the duties confided to us, and met at New Orleans in November, where we were necessarily detained until early in December, to obtain the arms from Baton Rouge, a requisition for which we had reason to expect would meet us on our arrival in that city.

General Campbell remained in New Orleans until the 8th December to await the necessary orders from the War Department, and the other commissioners proceeded on the 1st December to Galveston, and thence to Austin, the seat of government of Texas, with a view to a consultation with Gov. Bell, as suggested in a conversation held by the commissioners with Senator Rusk at New Orleans. We beg leave to refer to our despatch of the 21st December from San Antonio, as furnishing an account of the interviews with Senator Rusk and Governor Bell, and of our intention to proceed to El Paso and collect the Apaches, and of our recommendations as to our future Indian policy in Texas. In that despatch we invited the attention of the Department to the necessity and importance of an increased appropriation for our commission, and a separate escort of cavalry with which to penetrate into the interior of the country, instead of depending upon the escort accompanying the Boundary party. We regretted that we could not reach San Antonio and make the necessary preparations to accompany the Boundary party from that point to El Paso on the Rio Grande. That commission had left San Antonio early in November, and a reference to the date of our instructions received at Washington, and the distance of three thousand miles to San Antonio, apart from the delay in that city to equip the commission for a wilderness journey of six hundred and fifty miles, will show the utter impossibility that we could have arrived in time to proceed with that party. Nor, indeed, was it vitally important that we should reach El Paso until the spring, from the almost certainty that the Boundary party would not enter the Rocky mountains until the milder season should appear; a conjecture which subsequent events have reduced to

a certainty, inasmuch as it is not known that this party has yet penetrated the mountains.

It may be proper to state, that the position of secretary to the commission, the only officer under our appointment whose pay is fixed in our instructions, was conferred on the 4th December on Major Robert H. Armstrong, of Tennessee.

Immediately upon our arrival at San Antonio, Major Babbitt, United States quartermaster at that point, called to inform us that he had received instructions to furnish transportation for our party to El Paso. As he did not favor us with an opportunity to examine his instructions, and having no reason to suppose there was any doubt as to their real import, we contented ourselves with awaiting his arrangements on the subject, which he stated would be completed by the 8th January; and we did not learn until the 6th January, a few days prior to the time fixed for our departure, that from a more critical examination of his instructions he found that his authority to provide transportation was confined exclusively to the escort accompanying us. In this exigency, and from a statement which he submitted to us as to the enormous expense attending our journey in mid winter, as compared with that in a period of grass, we determined to suspend our movements, go into camp, and await instructions from the Department. Our letter of the 8th January, together with the accompanying documents from quartermaster Babbitt, will present a full view of this subject; and we request it may be regarded as a part of this report. If the decision to remain at San Antonio until the season of grass realized a saving of many thousands to the public treasury, subsequent events have confirmed the wisdom of that determination.

The refusal of Congress to increase our appropriation, as well as the reorganization of the Indian bureau, by which our power to make Indian treaties were abrogated, would have placed us in a situation truly embarrassing if we had gone in mid winter to El Paso, and thus have exhausted the existing appropriation without a sufficiency to cover our return. It is certainly competent for Congress to abandon a system at one session which it instituted at a previous session; but the prudence of our delay at San Antonio, is not the less apparent from this vacillation in the public councils.

During our necessary detention at San Antonio, it was our wish to seize every opportunity of procuring any information that might be useful to our future operations. With this view, Colonel Temple was deputed, early in February, from the camp beyond San Antonio, to proceed to Fort Martin Scott, the military post the most remote to the northwest, to be present at the time specified in the treaty made with Judge Rollins, where the Indians were to be re-assembled. An unfortunate discrepancy between the parties as to the precise day of the council prevented Colonel Temple from meeting the Indians as he had anticipated, they having appeared the week before, and then returned to their distant camps.

We deemed it important, during the delay in making preparations for the journey to El Paso, to open a communication with the governor of Texas, in reference to the probable prospect of that State consenting to the establishment of a separate boundary for the Indians in her limits, and with that view addressed a letter of 2d January, to his excellency Governor Bell, to which, and to our despatch of the 4th January enclosing it to the Department, we ask to refer as a part of this report. The views we have felt it to be our duty to submit to the department on this interesting sub-

ject are further illustrated in our despatch of the 13th February, and that of 15th March, enclosing a memorandum of an interview with Governor Bell, all of which may be regarded as entering into this report. In connexion with this subject, we refer to our despatch of the 25th March, transmitting to the department a copy of a letter from Judge Rollins, one of the special Indian agents for Texas, in relation to Indian affairs on that frontier, both of which are made parts of this report. We beg leave, also, to refer to our despatch of the 4th April, with the memorandum enclosed, touching the interview of one of the commissioners at Eagle Pass with Coacooche or Wild Cat, the celebrated Seminole chief, now residing in Mexico.

The despatch which we transmitted to the department on the 5th April, and to which we refer, will manifest the solicitude we felt to be favored with the views of the department upon the various matters which had been the subject of our correspondence since the 21st December, 1850; and on the 9th April, a letter addressed to Colonel Todd by his colleagues, will show the reasons for deputing him to Washington prior to their departure from San Antonio. This letter, in connexion with that from your department of the 3d April, announcing the action of Congress as to our commission; that of the honorable Secretary of the Interior of 12th May to Col. Todd; his reply of that date, and of 3d June, from New Orleans; and our despatch of 16th June, from San Antonio, we ask to be received as parts of this report; and will, we trust, exhibit the considerations of which we have deemed it proper to return to this city for the purpose of having our accounts adjusted, and surrendering the commissions with which we have been entrusted.

In the expenditure which we thought the public interest demanded we have included five hundred pounds of the new improvement, called the "beef biscuit," manufactured at Galveston, Texas. We supposed this amount was necessary for an expedition originally contemplated to continue two years. This discovery we regard as a national benefit, and we recommend its use in all military and exploring expeditions.

In relation to the Indian agencies in Texas, on which our instructions require us to report, we have no hesitation in suggesting to the department the policy of recommending to Congress the creation of a superintendent of Indian affairs in Texas, in connexion with sub-agencies, instead of the present plan of several independent agencies. The simple statement of this policy carries with it the obvious advantage of uniform and harmonious action, and is sustained by the previous practice of the government in conducting its Indian relations in other sections of our country. The objection, which it is hoped may be soon removed, of the United States having no authority to regulate Indian affairs in Texas, applies as well to the present system of Indian agencies as to that we have suggested, and there are considerations connected with the management of Indian affairs in that State which peculiarly recommended this policy. It is the frontier from whence the public peace of the settled districts of Texas and Mexico is constantly exposed to interruptions, and the inhabitants to pillage and murder from roving Indians, to whom no separate territory has been assigned, and over whom, consequently, the intercourse laws of the United States have not been extended. In venturing, therefore, to recommend the establishment of a superintendent of Indian affairs, we presuppose that it is the purpose, at an early day, of the United States, as well as of

Texas, to enter into suitable arrangements by which the Indians shall be induced to remain within a specified boundary, and the public tranquility so secured as to offer no possible pretext for the wars in which they would be exterminated. This salutary and philanthropic policy may tend to their civilization, by leading them to cultivate the soil, to acquire individual property, and domesticate themselves, so far at least, as to become herdsmen, instead of living like wandering Arabs. It is not necessary in this view of the subject to anticipate the condition of things when the wave of civilized population shall approach this specified boundary, urging their removal to a more distant frontier; their ultimate fate may be safely confided to the wisdom and magnanimity of those who may be called in the next generation to preside over the national councils. The present path of duty and honor is plain. Both humanity and economy concur in advocating the system we have suggested as proper for the guidance of our future Indian relations on the borders of the United States and Mexico.

This system contemplates arrangements by which incursions into Mexico as well as Texas shall be restrained, and the separate territory proposed to be secured in Texas lies north of the route usually travelled to El Paso and New Mexico. A boundary, having this beneficial provision on the entire route to the Pacific, will therefore offer inducements to a cordon of settlements along the borders of the United States and Mexico, which, with the military advantages of a railroad, will supersede the necessity of any considerable expenditure in the establishment of military posts. In this view of the subject we regard a railroad, so far as its establishment may be within the provisions of the Constitution, contiguous to the line now in process of demarcation, and extending to the Pacific, as possessing eminent tendencies to fulfil our treaty stipulations, one of the important objects contemplated by our instructions. Without any design to disparage other routes to the Pacific, we may be permitted to speak of the great advantages which the climate and the topography on this route present for the construction of a railroad from sea to sea. The distance along the route of the Gila, enormously estimated at one thousand six hundred miles, is believed to be, in the opinion of competent officers of the topographical bureau, not more than twelve hundred; and along this route the depressions in the Rocky mountains are pre-eminently advantageous for the construction of a railroad, while all the approaches through Texas to El Paso on the Rio Grande present the most inviting considerations for this great object.

It is needless to expatiate upon the value of a railroad communication across the continent *within our own borders*, whether we look at it in a commercial, political or military point of view. As a bond of union between the States on the Atlantic and Pacific, its importance cannot be exaggerated; and in the event of a war with a maritime power, the facility which it would afford for the rapid transportation and sudden concentration of an armed force, will render our possessions on the Pacific as impregnable as the late war with Great Britain proved our invincibility along the Atlantic, Mississippi, and lake coasts.

In closing this report and terminating our commissions, we have the honor to state that we have deposited with the proper authorities money

and property to an amount something less than \$14,000 of the \$30,000 appropriated by the act of Congress of 30th September, 1850.

We have the honor to be, respectfully, your obedient servants,

C. J. TODD,
ROBT. B. CAMPBELL,
OLIVER P. TEMPLE.

HON. LUKE LEA,
Commissioner Indian Affairs.

D.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, April 18, 1851.

SIR: With the approbation of the Secretary of the Interior, you are hereby appointed special agent, to proceed to Florida, for the purpose of endeavoring by judicious arrangements and efforts to effect the removal of the Seminole Indians remaining in that State to the country of their brethren west of the Mississippi river.

By the treaty of Payne's landing of May 9th, 1832, the Seminole tribe sold all their lands in Florida, and agreed to remove west of the Mississippi; but when the time for their removal arrived they refused to go, and broke out into open hostilities. During the seven succeeding years the most strenuous exertions were made to conquer and compel them to comply with their treaty engagements. Large bodies of troops were employed, many valuable lives sacrificed, and millions of money expended, but with only partial success. At the end of that period a considerable number of the Indians, who could neither be captured nor subjugated, still remained in the country, with as obstinate a determination not to leave it as they had ever manifested. A continuance of the military operations against them seemed useless; and to relieve the Treasury from the heavy drain upon it which they occasioned, it was deemed expedient to discontinue them. An arrangement was therefore made with the Indians, permitting them for the time being to remain, but within certain designated limits. This arrangement could be regarded as temporary only, lessening in no respect the obligation of the Indians to remove when required by the government. The stipulations of the treaty on that point still remain in full force, and it is the duty of the executive to cause all necessary and proper efforts to be made to carry them into effect, as he is bound to do with respect to the requirements of any other law.

Had the Indians, as they agreed to do, stayed quietly and peaceably within the limits assigned to them, and abstained from molesting our citizens, there would be less objection to their remaining still longer, and until the country they occupy, or such portions of it as may be desirable, should be required for settlement and cultivation; though it would be far better for them to be with their brethren in the West, where effective measures can be adopted for their gradual civilization and improvement.

But they have wantonly violated their engagements, and on more than one occasion, without any known provocation, passed beyond their assigned limits, and embued their hands in the blood of our citizens. The constant danger of outrages from them has become a serious evil, preventing the

settlement and cultivation of the country any where in their vicinity, and thus causing a large and valuable section to remain waste, to the great injury of the interests of individuals, as well as to those of the State and the general government.

Circumstances and considerations of the above character led to another attempt in 1849 to remove them, which, though attended with great expense, resulted in but very limited success. A large military force was sent to overawe them, and a number of their western brethren employed to influence and persuade them to remove; but only about seventy could be compelled or prevailed on to comply with the wishes of the government.

According to the best information that can be procured, from four hundred and fifty to five hundred still remain, and it has for some time been a subject of anxious consideration and reflection what course to adopt in order to effect the removal of this remnant of the tribe.

Experience has shown the inutility and wasteful expenditure of attempts to remove them by force. There is a large extent of country to which they can retreat, where the obstacles to successful military operations are insurmountable, and where the Indians can therefore easily elude almost any military force sent against them. To effect their removal in this manner, it would be necessary to employ an immense force, and at a vast expense; while the Indians, becoming exasperated, would no doubt find opportunities for successfully attacking, plundering and murdering the frontier inhabitants, as they frequently did during the late war against them.

Through the instrumentality and influence of their western brethren, persuasive means have been tried under very favorable circumstances, and have failed. There is but one other humane course which, after the most mature consideration, the department can devise or think of that seems to hold out any promise of success. It is to engage some reliable and proper person, willing to encounter the toil and peril incident to the service, who will go among them, and by personal association secure their confidence, gain an influence over the leading and more prominent individuals, and thus gradually incline them to consider the subject of removal more favorably, and to acquiesce in the wishes of the government.

As you have had much experience in Indian affairs, and are well acquainted with the character and disposition of the Seminoles in Florida, and your entire confidence is reposed in your integrity, judgment and discretion, the department has selected you to put this plan to the test of practical experiment, provided you are willing to undertake it on the terms and conditions prescribed.

The department would not feel justified in incurring any considerable expenditure in the mere attempt; and should it prove abortive, nothing but your actual and necessary expenses will be allowed, the whole in no event to exceed the sum of ten thousand dollars. Should you, however, be successful in your efforts to remove them, or any portion of them, a liberal disallowance will be made, as in that case the expenses will be very heavy, and you will have encountered much personal danger. As heretofore, with respect to those that have been removed, not only will a quantity of presents have to be made to the Indians, but considerable sums of money will have to be paid to them as a compensation, which they consider but fair and just for relinquishing their residence in Florida. For these, and many other expenditures which will be inevitable, it will be impracticable to procure satisfactory vouchers, and it will be impossible to arrange and settle the

accounts in the ordinary mode. Under these circumstances the department proposes to commute all the expenses of every description, including those personal to yourself, from the commencement of the service, and to allow in lieu thereof a commutation of ten thousand dollars for the preliminary expenditures incident to your endeavors to carry out the plan, and a given sum for each and every Indian removed, to cover all other expenses and demands whatever. After full consideration of all the circumstances and contingencies of the case, it has been determined to fix the latter amount at eight hundred dollars for warriors, and four hundred and fifty dollars for women and children, which will be paid to you, on the certificate of the proper agent of the government, or other satisfactory evidence of the delivery of the Indians in the country of their brethren west; and the same rate of compensation will be allowed for every Indian that shall die on the route from Florida to the Seminole country west, subject, however, to a deduction of the amount that it would have cost to transport said Indian from the place of death to the place of destination. I am aware that this allowance is less than the amounts heretofore paid in many cases to individual Indians to induce them to remove; but I trust it may prove sufficient to meet all expenses necessary to the accomplishing of the important object in view, and at the same time afford you a liberal compensation for the dangers and services you are to hazard and perform. I enclose the form of a bond, which you will execute, with a penalty of five thousand dollars, (\$5,000,) with security to be approved by me.

Very respectfully, your obedient servant,

L. LEA, *Commissioner.*

TO LUTHER BLAKE,

Now in Washington, D. C.

No. 1.

GREEN BAY, *September 30, 1851.*

SIR: In obedience to instructions, I set out in July last to explore a northern location for the Menomonic Indians, but a requisition to aid in collecting the Pottawatomic Indians called me away from this duty.

I have the honor to report that I have this day returned from exploring the country on the Wolf and Oconto rivers.

I commenced at the south-west corner of township 28, on the range lying between 19 and 20, and ran west, (by calculation,) thirty miles, thence north eighteen miles, thence east thirty miles, thence south eighteen miles to the place of beginning. These lines embrace the Wolf and Oconto rivers, and will conform to the public surveys, leaving no fractions.

I find the country, generally, to be a dry, sandy soil, covered with low scrubby pines, and occasionally a swamp of tamarack and cedar. There is a small portion of good land for agriculture, and a few good sugar camps. There are a great many small lakes, abounding with fish and wild fowl; and bears, foxes and martins appear to inhabit these swamps. The deer are numerous on the plains. There is also some good pine timber.

I consider the country of little value for a white settlement, but well adapted to the Menomonic Indians. A portion of those are inclined to cultivate the soil for their support, and a sufficient quantity of pretty good

land will be found for their use. The game and fish will sustain the hunters.

I am inclined to think they may all be persuaded eventually to seek subsistence from agriculture.

At the special request of the chiefs, I took three of them, to wit, Na-hotte, Wan-ke-chi-on and Osh-ke-nash-new with me. As there were no roads, I also was obliged to hire a boat, and its owner and four men to row: one man, with a light canoe, to hunt, and a man to cook. These, with the chiefs, interpreter, and myself, made a party of twelve. Our voyage was by water about one hundred and eighty miles above the mouth of the Wolf, where it intersects Fox river, as the boatmen, who follow lumbering, calculate the distance. The line, on the south side of the tract above described, crosses the Wolf river about four miles below the Great falls, at which point there is a good saw mill, with two saws and excellent fixtures, cutting twelve thousand feet of lumber per day. The logs are cut from public lands above the mills and rafted down. I should think there were now three thousand logs in the dam. The mill is built on a rock foundation, and the owners are willing to sell it to the Indians. My interview with them was perfectly amicable.

Having to explore on foot, (there being no horses there,) I entrusted the exploration, in the rear of Wolf river, on the east side, to the very sensible, capable, and trustworthy interpreter, Mr. William Powell, whose report I herewith enclose. I also solicit the department to make him some reasonable allowance for his personal services, in the discharge of this arduous duty.

To comply with instructions to a punctilio, I yesterday morning left the boat one hundred and fifty miles above this, and came through the wilderness with a guide. The boat could not arrive here before the 3d or 4th of October. My instructions were to report by 1st October, which, by exertion, I now do.

The Indians are highly satisfied with the location I have recommended. They are very civil, and appear peaceful and amicable in their disposition. I attended service at their mission, and many of them appear sincerely pious.

There are many personal explanations I should like to make if ordered to Washington.

Excepting the report of my account, I have now, as far as I know, fulfilled all my instructions, and have vouchers for the faithful disbursement of the annuities entrusted to my care.

I remain, sir, most respectfully, your obedient servant,

ELIAS MURRAY,

Superintendent of Indian Affairs.

Hon. L. LEA, *Commissioner of Indian Affairs.*

FALLS OF WOLF RIVER, September 26, 1851.

SIR: In obedience to your instructions I have, in company with the chiefs Na-motte, Wan-ke-cheon, and Osh-ke-hi-na-new, explored the east side of Wolf river from the falls, where we parted. About twenty miles above the falls we found the country generally dry and sandy, with but little timber. It is well watered; may be properly termed pine barrens.

The trees are low and scrubby, mixed with the small poplar, or quaking asp. We found a number of small lakes, and a few lots of good lands, and well timbered. We also found a number of cedar and tamarack swamps, where are many signs of bears, deer, and other game. The lakes abound with fish and wild duck. The chiefs are highly pleased with the country and say they hope the President will give it to them for a home, where they can live in peace from their enemies.

Your most obedient servant,

WILLIAM POWELL,

United States Interpreter.

E. MURRAY, Esq.,

Superintendent of Indian Affairs.

No. 2.

OFFICE MACKINAC INDIAN AGENCY,

Detroit, October 7, 1851.

Sir: I have the honor to submit for your consideration the following report of the condition and prospects of the Indians within this agency.

The Pottawatomies of Huron, situate in Calhoun county, have some time since purchased lands, which are of good quality and well located. They have already improved a considerable quantity of these lands, and their progress in agriculture gives the most cheering encouragement of their future success. They have a good school in operation most of the time, which is well attended and judiciously conducted. The condition of these Indians, socially and religiously, is of the most encouraging character. They are strictly temperate in their habits, faithful in their attendance upon worship, and devotedly religious. Much praise is due to the faithful missionary who labors among them.

Of the bands of the Ottowas situate in the region of Grand river, those at the Ottawa and Griswold colonies are the most prosperous. They have some years since secured a sufficient quantity of good land, on which they have made considerable improvement and erected comfortable dwellings. The missionaries and teachers among them have labored with commendable zeal for their advancement in education, agriculture and religion, and their labors have been attended with encouraging success. A few of the other bands have purchased lands of late, upon which they reside, and they also are improving in their habits and morals.

The history of the Chippewas of Saganaw, for the last four years, is of more than ordinary interest. Previous to that time they were sunk in the degradation of heathenism and intemperance. Poverty, suffering and vice of every kind was the necessary consequence. Their unfortunate condition excited the sympathies of the Christian denominations, who at great sacrifice and expense sent missionaries and teachers to labor among them. They have been induced to save their money to purchase lands. Considerable sums have also been donated for this purpose by benevolent societies and individuals. They have thus been enabled to purchase considerable tracts of good land. The government have also rendered them great service by taking out of the market some of the lands contiguous to them which they intend to purchase, and which in the meantime prevents the intrusion among

them of that class of unprincipled and heartless men of whom it may be said that their own will is their law, and their own gratification the end of all their actions. They have made considerable improvement upon these lands, and have erected comfortable dwellings. Their schools are well attended, and they take a deep interest in the education of their children.

I have had recently a good opportunity to become acquainted with the Ottawas and Chippewas of Lake Michigan. Their principal settlements are at the Grand and Little Traverse. At these places, as well as at some other points, they have purchased tracts of very good land, which are being well improved. At the recent payment they took with them to their homes a large share of their annuity to purchase more land and to make improvements. Their advancement in every respect is beyond controversy; and it is an encouraging feature in their case, that the chiefs and leading men among them render every possible assistance to the missionaries and others in their labors for their welfare. For a more full account of their condition and prospects, allow me to refer you to the accompanying reports of the Rev. Messrs. Dougherty, Smith, and Bishop Lefevre. The missionaries who labor with them are rendering them great service in every respect, and are much encouraged by the manifest improvement of these Indians.

Many of these Indians in the upper peninsula are doing well. Several bands and individuals have lately purchased lands, which they intend to settle upon and improve. In consequence of their abundant fisheries, and the wide range for hunting and trapping, they have not heretofore turned their attention to agriculture, but they now seem disposed to change their mode of life in these respects, and secure for themselves permanent homes and the consequent domestic comforts. The efforts of the missionaries and others who take an interest in their welfare have been unceasing, and in a great degree successful. It is to be regretted, however, that the facilities for intoxication are such at certain points that some of them are enticed and ruined.

Considerable excitement and alarm have prevailed among the Indians of this agency during the last spring and summer, in consequence of the rumor that the government intended to remove them to the west. A class of men, who, when the Indians were in a state of degradation, held almost the entire control over them, are now reluctant to relinquish their influence, and to maintain it, they take advantage of their ignorance, and operate in the most unscrupulous manner upon their fears; promising them at the same time, that they will protect them if they will comply with their wishes. Sensible as the Indians are of their vastly improved condition, conscious of their integrity and their upright intentions, attached to the soil of their fathers, dreading the effects of a change of climate and of their habits of life, any thought of a removal to the west is to them peculiarly afflicting. I have endeavored to quiet their fears on this subject, and assured them that the government has no intention to remove them.

Under the new constitution of the State, they are permitted to become citizens on conditions which are proper and easy of compliance, and it is the intention of many of them to avail themselves of this opportunity, and share the advantages of civilized society at the earliest possible period.

The Indians have full confidence in the efforts of the department and government for their protection and welfare; and it is gratifying to know that these efforts have been attended with enlarged success. The theory of their improvement is, in my opinion, very simple. If they can be settled

upon lands of their own, learned to cultivate the soil, be protected from intoxicating drinks, have teachers to educate their children, and faithful men to instruct them in religious truth in its true spirit, their improvement and elevation in the scale of being is certain. And it is a matter of devout gratitude to God, that these means have been so eminently successful; nor can it be doubted that by a continued and faithful application to them, the beneficent object which the government has in view will be ultimately attained.

With great respect, I am, dear sir, your obedient servant,
WM. SPRAGUE,
Indian Agent.

Hon. LUKE LEA,
Commissioner of Indian Affairs, Washington.

No. 3.

September 23, 1851.

DEAR SIR: The period has arrived for making the annual report of the school and mission under my care. The past year has been one of health and abundance. The general conduct of the Indians has been good, and for the past summer better than any former season since I have been with them. In habits of industry and economy they are every year improving. They are anxious to locate themselves permanently on their own lands. A number of families, to secure this, have purchased lands and removed from the reservation. This has considerably diminished the number of children attending the school, and the families are beyond the reach of the regular means of instruction.

In view of the removal of some of their men, the chiefs have selected a location on the west side of the bay, where they design to purchase and remove next spring.

As they are about to relinquish the reservation, and as the treaty promises them compensation for any improvements they may make on it which will add value to it, I would suggest if it might not be well to have such claims examined and settled. It would prepare the way for settlers to locate themselves without conflicting with each others' rights, or that of the Indians.

The board of missions have decided to remove the mission from its present location, and to establish a manual labor school in the neighborhood where our people purpose to locate. We have felt for some time that day schools in their village, where the children are left very much to themselves, to attend school or not as they might choose, were not efficient to accomplish the good which the government and the friends of the Indians desired to secure by them. It is believed by all who are familiar with their habits and condition, that a school, such as is proposed, if well conducted, will be more efficient than any plan we can adopt.

The children can thus be kept regularly in school, and far more rapid improvement secured; they can be trained up to habits of industry, and be instructed in useful mechanical and domestic arts; more valuable religious instruction can be given, a more perfect education secured, and a more per-

fect and useful knowledge of the English language imparted. This last is of increasing importance to them every year.

The school will be so located that the missionaries can keep up regular meetings for the families on the Sabbath and at other times.

The school and mission will thus be exerting all its influence to advance the adults to an improved condition, while the children will be receiving a practical education on the ground, and suited to the circumstances under which they will be called to enter on the duties of life. There are connected with the mission one missionary and family, a male and female teacher, and an interpreter and assistant, viz :

• Peter Dougherty, missionary ;

James K. Whiteside, teacher, Mrs. Whiteside, female teacher ; and

Daniel Rodd, interpreter and assistant.

There are enrolled forty-three scholars ; the average attendance is about twenty.

A separate female school was kept up during the winter, but discontinued this summer, after the removal of those families who have left the reservation. Mr. Whiteside has the male and female children both under his care and Mrs. Whiteside attends, at stated periods, to instruct the girls in knitting and sewing, &c. The children who attend are making gratifying progress in reading, writing, arithmetic and geography.

There is a growing attention to the preaching of the gospel and the exercises of the Sabbath-school.

Our meetings on the Sabbath are full ; the Sabbath-school numbers from fifty to sixty, the larger number being adults. Four have been admitted into the church, and a large number are under examination and instruction preparatory to admission.

These people are advancing, and if they become permanently settled on lands of their own, and intoxicating liquor can be kept from among them for a few years, there is a prospect of their becoming a prosperous and happy people.

Most respectfully, yours,

P. DOUGHERTY.

Mr. SPRAGUE, *Indian Agent.*

No. 4.

OTTAWA COLONY, *October 1, 1851.*

SIR: I would beg leave to submit to you the following report of the colony and school connected with the remnant of the Ottawa tribe of Indians, with whom I labor.

The Indians, as usual, were absent most of the winter, and when the spring opened, collected at their sugar camp. The winter being unfavorable for hunting, and the spring no less so for the making of sugar, they seemed compelled to enter upon the more laudable pursuit of tilling their land for subsistence, and entered with vigor and alacrity upon the preparation of their land for the plough and seed. They visited also the sanctuary, and listened with attention to the truths of the gospel.

It is with pleasure I report their moral and spiritual condition ; months have passed, and no instance of disturbance in the colony by the use of

whiskey has occurred. The preached word, by the Divine blessing, has influenced the hearts of many who were corrupt in their habits and degraded in their manners; some have become alarmed and awakened, and sought the Lord with earnestness.

I have baptized the wife of the chief, and others have connected themselves with other communions. A good attention to religion has been manifest during the summer and fall. A test of their firmness will soon be made, as the time approaches for receiving the yearly annuity, when the avaricious white man, to obtain their money, will furnish them with the liquid fire, and induce them, if possible, to disregard their profession and drink to perfect drunkenness. Some are fixed in their principles and habits, and withstand temptation, and have done so for years; while others, for lack of firmness, fall in the hour of temptation and trial.

A day school has been kept winter and summer, when the Indians were at home. There are over thirty on the list as suitable for scholars. About fifteen attended, and made good proficiency in their studies.

As no community can thrive and prosper without variety of employment, I have long been desirous, and have recommended that the Indian youths should be taught the different mechanical trades. But the parents are averse to placing their children in the families and under the influence of white people. They love independence, and disdain the idea of confinement to one pursuit. There is, however, more inclination to agricultural labor, and many perceive the necessity of more land for healthy and prosperous farming; that five, ten, fifteen, or even twenty acres is not sufficient. Some of them desire the fruitful and extended plains west of the Mississippi, while others prefer the dense forest still, and are attached to their present home. They have raised wheat, corn, beans, oats, &c., for their own consumption, but no surplus for market. Formerly government furnished means for the purchase of agricultural implements, but for some reason for the last two years this grant has been discontinued, which has been an occasion of much embarrassment.

With due respect, your obedient servant,

L. SLATER, *Superintendent.*

Hon. WM. SPRAGUE,
Agent at Detroit.

No. 5.

OLD WING MISSION, September 22, 1851.

DEAR SIR: I submit to you the following as my annual report. At the commencement of the year I was engaged in building a school-house at our mission. I had finished it except ceiling overhead, when the Indians returned from Mackinaw last fall. I then opened a school immediately. For the materials to build the house I am now in debt. The labor, except some assistance rendered by the former, was performed by myself. I continued the school till sugar time. I opened the school again early in the summer, and continued it till recently. I have preached to the Indians every Sabbath in the year, and taught a Sabbath-school nearly every Sabbath. I have also held meetings for special religious instruction one day in the week. Our meetings have been well attended, and with increasing

numbers and interest through the year. Our labors have not been in vain. Ten have been added to the church, and about the same number now stand as candidates for membership, and an increasing seriousness seems to pervade the Indians generally. There are four bands enjoying, in a greater or less degree, the benefits of the mission; these are the Wakazoo, or Black river band, the Shabwasing band, the Nagonabe band, and the Ojibmunise band, or the Carp river band. Two bands more will probably join us in the spring, viz: the Muskegon and Manistee. The progress of the Indians in civilization and moral improvement has been good. A number of comfortable and respectable houses have been erected, and others are in the course of erection. The crops raised are sufficient for the support of the people, with some corn and potatoes for market. The great bane of the Indians is whiskey; whenever they go to the Manito islands they are sure to be met by the destroyer, and, if they do not possess more than ordinary power of resistance, they will fall; but in this respect there has been a decided improvement; so that, in view of all the facts in the case, we feel decidedly encouraged to persevere in our labors for the welfare of the red man.

I am, truly, your humble and obedient servant,

GEO. M. SMITH.

HON. WILLIAM SPRAGUE.

No. 6.

DETROIT, *September 29, 1851.*

SIR: I have the honor to transmit to you the enclosed tabular reports of the Indian schools connected with Catholic missions under my charge, together with lists containing the names, ages, and sexes of the scholars who have attended school at any portion of the years 1850—1851. In all these schools, spelling, reading and writing, are invariably taught, as also arithmetic and geography to those that are more advanced. At the stations of Arbre Croche, Point St. Ignase and Mackinac, we have also introduced sewing, knitting, trimming with porcupine, &c. It affords me great pleasure to communicate to you the deep and increasing interest manifested by the Indians generally upon the important subject of education. The improvement of the scholars is, in general, very satisfactory and encouraging; and the greater portion of those who have regularly attended have improved far above expectation, and by their good behaviour and deportment, gained the esteem and respect of their teachers.

In some of our schools the number of pupils has greatly increased, and their attendance has been more regular; though, in this respect, some of the scholars, particularly among the largest, have suffered great loss, as many of them had indispensable duties to perform at home. The Ottawa Indians of the Catholic missions of Little Traverse and its filials, were in former times the fiercest, most savage, as well as the most cruel warriors; but, at present, we can say that they are the most peaceable and the most civilized Indians within the State of Michigan. Acting under the directions of their pastors, they have made such progress in religious education and civilization, that they now live peaceably and enjoy most of the comforts of life in their several villages at Little Traverse bay, La Croix, Mid-

dletown, Manitu, and Cheboygan. They practice their religion well, and are diligent and industrious; they cultivate the land to such an extent as to be able every year to sell much of their produce in the town of Mackinac, and to vessels with which they have occasional intercourse; nearly all know how to read, and the greater part are also able to write. Some of them are good carpenters, and others are expert in various kinds of work.

With regard to the Catholic mission among the Chippewa Indians at Anse Kewanaw, I cannot but say with deep sensation of joy, that the rapid progress in civilization and happiness of life which the Indians of the missionary establishment exhibit, in the very short period since their conversion, is a subject of admiration to all those who visit the Anse. They have entirely abandoned their savage habits and mode of living, and are become a good, industrious, and sober band of Indians; they now all live in good, comfortable houses, and cultivate the ground to a considerable extent. The change for the better is indeed surprising in this band of Indians, especially their sobriety. Before their conversion they were all confirmed drunkards, without exception; but now they have all given up drinking, and bound themselves by solemn promises to abstain from ardent spirits; and they also do all that is in their power to prevent liquor being brought into their village.

In conclusion, allow me to say that all the Indians, both Chippewas and Ottawas, have, until now, so well adapted themselves to civilization; and shown a willingness to follow every laudible occupation, that they merit every protection and favor of the government. They also seem to place much confidence in you, and rely fully on your fatherly protection, which I trust you will never have reason to refuse them; but, on the contrary, I flatter myself with the confident assurance that their continual progress in civilization will always deserve and claim your special attention and favor.

I have the honor to be, with high regard and esteem, your very obedient servant,

PETER P. LEFEVRE,
Bishop, Z. C. A. D.

WILLIAM SPRAGUE, Esq., *Indian Agent.*

Indian Catholic free school of Sault Ste. Marie 1850-'51, conducted by A. Lacoste.

August 15, 1851.

RIGHT REVEREND BISHOP: The number of pupils, this year, has amounted to sixty. The general average of daily attendance has been from thirty to twenty, and sometimes below that number. They all have been admitted freely, without any regard of persons or of religions they belonged to; but care that Catholics should be well instructed in the faith has been watchfully attended as a matter of first importance. The course of instruction embraces, furthermore, what I suppose is generally taught in common schools, that is, reading, writing, cyphering, geography, grammar, and also lessons in French.

Six hours, or nearly, are each day devoted to the teaching business, Saturdays and Sundays excepted. The school is inspected every month by Rev. Father Monet. In winter the school has been pretty carefully atten-

ded; but summer's trade and the spirit of emigration for the mines are a source of unsteadfastness for the whites; as well as the sugar, fishing and hay-making seasons for the Indian boys or their related Canadians. The improvement of these last is connected with their regularity; and if their endeavors are not always crowned with success, it is not owing to a want of capacity, but to a want of constancy, which is a rare commodity among them; and how could it be otherwise, when parents seem for the most part careless themselves whether their children be instructed or not.

To rouse a little the spirit of emulation among them, I have adopted the ticket system. A ticket is nothing else than a little piece of paper, which bears in print the good note they may have deserved in anything whatsoever, either in behaviour, or reading, writing, &c.; and these tickets are used by the scholars as money, to buy at certain stated times books, or other things which may be presented them in exchange for their tickets.

Here, Right Reverend Bishop, I give you the names of the boys who have attended the school since August, 1850, with their respective courses and ages.

Names.	Ages.	Names.	Ages.
<i>Grammar, reading, &c.</i>		<i>First spelling class—Continued.</i>	
W. Rousseau.....	16	H. Plant.....	10
G. McKay.....	14	F. Edwards.....	11
C. Van Anden.....	11	F. Lalonde.....	12
C. Crompe.....	13	Ed. Shaweenon.....	14
T. Lowo.....	13	F. Fenchette.....	8
C. McKnight.....	12	W. Fenchette.....	10
<i>First reading class, &c.</i>		<i>Second spelling class.</i>	
V. Mott.....	14	M. Frushette.....	11
T. Beardin.....	13	H. Winter.....	16
D. Labreche.....	12	T. Gunning.....	7
F. Lalonde.....	11	F. Walker.....	8
T. Walsh.....	14	P. Florimond.....	9
R. Hochland.....	14	S. Johnston.....	9
<i>Second reading class.</i>		A. Poisson.....	15
Fr. Lamiraude.....	10	<i>A-b-c-d-arian class.</i>	
F. Lalonde.....	15	F. Shawanon.....	11
T. McKnowlton.....	12	F. Clemens.....	9
T. Crean.....	12	A. Daller.....	10
T. McKay.....	9	R. Grant.....	13
T. Kutzen.....	10	T. Berry.....	16
F. McKnowlton.....	9	Pierre.....	14
T. Labreche.....	10	H. St. Cyr.....	9
H. Jones.....	9	Ph. St. Cyr.....	8
P. McRea.....	11	R. Williams.....	7
L. Shawanon.....	18	Fr. Desmeyer.....	10
F. Hermetuga.....	12	L. Walsh.....	10
A. Hermetuga.....	14	James.....	8
P. Cardiff.....	16	M. Poisson.....	8
<i>First spelling class.</i>		D. Poisson.....	7
T. Cadotte.....	15	T. Hermetuga.....	7
D. Plant.....	15	M. Sullivan.....	6
M. Kutzen.....	9	M. Smith.....	6
		G. Davis.....	6

Report of the Indian school of the Catholic mission of Arbre Croche during the year 1851.

School of—	Teachers.	Scholars.			Tribe.	Course of instruction.
		Boys.	Girls.	Total.		
Arbre Croche	Fr. Pierz, Van Parnel, M. Kabeyijgskeve.	21	25	46	Ottawa Indians.	Reading, writing, Indian and English grammar, arithmetic, religion, sewing, knitting and trimming with porcupine.

N. B. The public school at Arbre Croche, established more than twenty years ago, has produced much good for the youth of the said place. Although the Indian children make no great progress in the English language, yet they are able to learn how to write, read and cipher in their own language, and this most all the Indians of Arbre Croche do know.

But these Indians do not only make good use of their school, but they also are making so great a progress in agriculture, economy and industry that they might be looked upon as being the most civilized band of the Ottawa tribe; and that also they deserve, more than all other Indian tribes, the protection of their superiors and the favor of the government.

FRANCIS PIERZ,

Teacher and superintendent of Indian school.

ARBRE CROCHE, August 31, 1851.

Report of the private Indian schools of the filiales missions of Grand Traverse, Kachagemonidebaning and Cheborganing during the year 1851.

School of—	Teachers.	Scholars.			Indian tribe.	Course of instruction.
		Boys.	Girls.	Total.		
End of Grand Traverse.	Joseph Aninies....	16	17	32	Ottawa.....	Reading and writing Indian.
Kachagens Ondebancing.	Joseph Jawanange.	12	11	23	Ottawa.....	Reading and writing Indian.
Cheborganing.....	Paul Obasgude....	7	6	13	Ottawa.....	Reading and writing Indian.

N. B. The private schools in the filial Catholic missions, which have begun at my arrival in this place twelve years ago, have not been always as steadfast as those in Arbre Croche. Every time I go to visit those missions, I instruct the children myself, not only in religion, but also in the

necessary literal sciences. During my absence, the teachers appointed for it instruct the children, when they are present in their respective places, which is the case chiefly during winter; but in summer time they are sometimes scattered about because of fishing, to which the Indians apply themselves considerably. The school teachers are paid in proportion to the application and progress of the children.

FRANCIS PIERZ,
Teacher and superintendent of school.

Report of the Indian schools in Catholic missions, under superintendence of Bishop P. P. Lefevre, 1850-'51.

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Tribe instructed.	Location.	Teachers.	Scholars.			Blood.	Course of instruction.
			Boys.	Girls.	Total.		
Ottawa	Little Traverse Bay..	Francis Pierz, A. Van Paemel, M. Kabigijigokewe.	21	25	46	Pure Indian	Spelling, reading, writing, Indian and English, ciphering, sewing, knitting, trimming with porcupine, &c.; and also English grammar and geography.
Ottawa	Cross Village	Ignatius Meak, Michael Keius, D. Enerechki.	18	16	34	Pure Indian	Spelling, reading, writing, arithmetic and geography.
Ottawa	Middle Village	Paul Kowegomoa	13	9	22	Pure Indian	Spelling, reading, writing, arithmetic and geography.
Ottawa	Kachaglas Andeban- ening.	J. Aninins	15	17	32	Pure Indian	Spelling, reading and writing, &c.
Ottawa	Point of Grand Tra- verse Bay.	J. Jawanange	12	11	23	Pure Indian	Spelling, reading and writing, &c.
Ottawa	Cheboygan	P. Oboagade	7	6	13	Pure Indian	Spelling, reading and writing, &c.
Ottawa, mixed...	Point St. Ignace	S. Graveract	27	25	52	Pure Indian and mixed.	Spelling, reading, writing, arithmetic and geography.
Ottawa, mixed...	Mackinac	M. A. Fisher	19	23	42	Half Indian and mixed.	Spelling, reading, writing, arithmetic and geography.
Chippewa	Anse Kowenaw Bay..	Fred. Baraga	14	19	33	Pure Indian	Spelling, reading, writing, arithmetic and geography.
Chippewa, mixed.	Sault Ste. Marie	A. Lacoste	60	.....	60	Half Indian and mixed.	Spelling, reading, writing, grammar, arithmetic and geography.

Doc No. 2.

No. 6a.

LAKE POWHOEGAN, September 21, 1851.

DEAR SIR: If the statistics of this school and mission for this year were to be compared with those of last year and the year before, it would be seen at once that the quantity of domestic produce raised by our Christian Indians in this village is far inferior to what it has been in any of the preceding years since the establishment of the Indian school by government at Lake Powhoegan.

The tract of land cultivated by the Menomonies being elevated only from two to three feet above Lake Powhoegan, along which it lies, having been under water during the first part of the summer, in consequence of much rain, is mentioned here as one cause of the comparative small quantity of crops they have raised this year.

Our school owes its present existence and flourishing condition only to the encouragement that I gave to several well-disposed Indians to hope for better days, and to the confidence placed by us in the justice of our government. It has survived the storm that threatened its destruction. It has increased and prospered in the midst of the most trying difficulties, as you may be convinced of the fact, honorable and dear sir, by looking at the monthly registers which have been sent (eighteen in number) for this year for both schools, male and female, to the Indian superintendency at Green Bay, before and after your arrival at that place. The statistics of this school for last year show a list of fifty scholars; those of this year fifty-seven. The faithful attendance of the pupils in school, their respect for and their obedience to their teachers, that ardent desire which they manifest of becoming better informed, their modesty and prayerful attendance in church, where they listen to the word of God with religious deportment, the physical change that is reflected on their young countenances by the moral change produced in their mental faculties through the instrumentality of school teaching and religious instruction—all this, honorable and dear sir, stands before the public as a firm guarantee of their future elevation in civil life, of their future prosperity and happiness. In the history of our State they shall appear conspicuous, as a proof against the false and absurd assertions made last winter at Madison, before the members of the historical society of Wisconsin, by Louis M. Martin, esq., of Green Bay, who did not blush to assert that Christianity makes *drones* of Indians!

The happy effect produced by the existence of our temperance society here is felt everywhere. The Pagans, as well as the Christians, seem to be benefited by it. Peace, harmony, contentment and happiness reign supreme in our village among the Indians and the whites.

If little can be said in this letter on the important subject of agriculture, for reasons already stated above, yet I feel happy to say that the little farming band of this village shows a firm determination to redeem the *past* in their new settlements by vigorous and continued labor.

Please, honorable and dear sir, to direct your attention to that part of the statistics which treats of domestic economy. It is uncommonly rare to see Indian women baking good bread and making hard and soft soap, but it is not rare to see it here, although attempts at it have been made not long ago. Before another year has elapsed, most of the Indian women of our village will have acquired a practical knowledge of some of the branches of that most important science, which may be looked upon as one of the

sources of domestic comfort. A new day is now opened before them; a new light is gladdening their hearts; their countenances are beaming with joy; they will soon be permitted to tread again on the soil of their grandsires.

With much regard and Christian affection, I most respectfully remain,
honorable and dear sir, your obedient servant in Christ,

F. C. BONDUEL,

Superintendent and pastor for the U. S. and missions.

Hon. ELIAS MURRAY,

Superintendent of Indian Affairs.

No. 7.

OFFICE SUPERINTENDENT INDIAN AFFAIRS.

October 25, 1851.

SIR: My prolonged absence from this office as commissioner to treat with the Prairie and Mountain tribes of Indians comprised within this superintendency, together with the lateness of the season, will necessarily make my annual report more brief and less satisfactory than it might otherwise have been. It is, however, to be hoped, that the report of the agents, missionaries and employees of the government, will furnish the necessary statistical information for the use of the department.

So far as the border tribes are concerned, I am happy to be able to state, (from personal observation) that they are gradually advancing in civilization, and a large majority of the families are now as intelligent, comfortable and well informed as their white neighbors. They have become very much intermixed and amalgamated with the whites; and this process of civilization (if it may be so termed) will continue under the existing state of Indian affairs. I have thought and observed much on this subject, and have no hesitation in saying, that an intermixture with the Anglo-Saxon race is the only means by which the Indians of this continent can be *partially* civilized. In order to carry out this plan, I beg leave to suggest, for the consideration of the department, the following measures, viz: the laying off of Nebraska Territory, with the following boundaries: Commencing on the Missouri, at the mouth of the Kansas river, and running up the Missouri to the mouth of the L'eau qui court, or Running Water river; following up the Running Water river to its source, about thirty-five miles above Fort Laramie, where this stream issues from the base of the southern range of mountains, known as the Black-hill; from thence due south to the Arkansas river; thence along our established boundaries to the western line of the state of Missouri, to the place of beginning. This will give to the United States *all* the agricultural lands south of the Missouri river that are considered exclusively Indian territory.

Should this territory be established, the question would then arise, what shall be done with the Indians occupying the soil within the above described limits? I would recommend that one section of land be given to each head of a family, and secured to their descendants for *fifty years, without any right of transfer.*

It is fair to presume that, after the lapse of fifty years, the Indian owners of the soil would be able to protect their own pecuniary interests, having

the example of the whites, by whom they would be surrounded and intermixed, before them. To these Indians I would grant the privileges of citizenship, as I know, from personal observation, that they are far more capable of exercising them than a large portion of the *citizens* of New Mexico. After assigning to each family the requisite quantity of land, a large surplus would remain, which should be purchased by the government at something like a fair price, and thrown open to the pioneers of the country, where they can settle and establish their pre-emption rights, whenever the lands are surveyed and thrown into market.

There are several tribes embraced within this territory that will perhaps require ages to civilize; but if, after a fair trial, it should be found that these tribes are incorrigibly savage in their nature, I would recommend that a fair compensation be allowed them for their lands, and they be scattered along the eastern borders of New Mexico. In course of time the same disposition could be made of them that must ultimately fall to the lot of the Indians inhabiting that mountainous region of country. They will all at some future period become semi-civilized herdsmen—the *Tartars* of America. The force of circumstances will soon compel the government to adopt some plan by which the fine agricultural lands (that form a large portion of Nebraska) will be thrown open to that class of American citizens that have always been found on our extreme western frontiers, forming, as they do, a kind of connecting link between civilized and savage life. The State south of the Missouri river is densely populated all along the western border, there being a continuous range of farms immediately on the line. The same state of things existed only a few years since on the north side of the Missouri river, when the government was compelled to make what is known as the “Platte purchase,” and which is now the most populous and wealthy portion of the State.

The Indians do not and never can cultivate one acre in a thousand of the productive lands watered by the tributaries of the Missouri, Kansas, Platte, and Arkansas. Moreover, these lands are now of no use to the present owners, the game having been long since killed off. I have talked this subject over with the Indians on several occasions, and have always found the more intelligent portions of the tribes not only willing but anxious to change their condition in some such manner as I have recommended.

During the present year I have made a treaty or national compact between the Kickapoos and a band of Pottawatomies that have intermarried and resided among the Kickapoos for many years. The terms of this national agreement make them one nation for all future time. Both parties were much pleased with the arrangement; and I would earnestly recommend that this portion of the Pottawatomies shall continue to draw their distributive shares of the Pottawatomie annuities. The rights of nationality which they purchased from the Kickapoos were paid for out of their own money, and cost the Pottawatomie nation nothing.

I would also recommend that an arrangement similar to the one above mentioned, should be made between the Ottoes or Iowas, and a band of Winnebagoes now residing on the Missouri river. The band to which I allude are composed, as I understand, of the same families that have already cost the government so much trouble and expense in endeavoring to have them permanently located at their new homes on the upper Mississippi.

In order to understand the true cause of the objections which this band have always manifested in their removal, a brief history of the tribe, commencing in 1822, may be necessary. At that period the mineral lands lying in the northern part of the State of Illinois, and extending up to the Wisconsin river, and even to some indefinite point north of the Wisconsin, were claimed and partially occupied by the Winnebagoes. Colonel Johnson, of Kentucky, leased from the government of the United States the mineral regions in the neighborhood of Galena, and commenced his mining operations, much against the wishes of the Rock River or Illinois Winnebagoes. Such was the dissatisfaction of a portion of the tribes that they took up arms, and something like a "Winnebago war" grew out of it. The difficulty was ultimately settled by a negotiation, but not in a manner satisfactory to the Rock River band; and from that time there was nothing homogeneous between the contending factions. I am therefore satisfied in my own mind that an attempt on the part of the government to keep the Winnebagoes united and quietly located on the upper Mississippi will be productive of great annual expense and endless vexation. The records of the department, since the removal of this tribe, will show that such has been the case heretofore.

The dissatisfied band, or a portion of them, are now residing on the Missouri, among the Ottos and Iowas, where they appear to be perfectly contented, notwithstanding they have received (during the last year) no portion of the large annuities to which they are entitled. The Ottos and Iowas are perfectly willing to have this band of Winnebagoes incorporated with them, even without compensation; but as the Winnebagoes have ample annuities, it would be nothing more than equitable for them to pay a fair compensation for their interests in the soil. It may be proper to remark that these Winnebagoes are very much intermarried and in every way very closely connected with the Ottos and Iowas: in manners and customs, language, &c., they are, or at least were, the same people.

When an arrangement of the kind, such as I have recommended, can be made without any expense to the government, without any violation of treaty obligation, or the exercise of arbitrary force, I cannot see any reasonable objections to its being done: especially when it gives mutual satisfaction to the Indians concerned, and saves the government a large amount of money annually, and a still larger amount of annoyance and vexation.

The condition of the prairie and mountain tribe presents but a gloomy prospect for the future. I had an opportunity during the present year of seeing and talking with a majority of the wild nations, and was much surprised to witness the sad change which a few years and unlooked-for circumstances had produced. The buffalo, upon which they rely for food, clothing, shelter and traffic, are rapidly diminishing. In addition to their other misfortunes, the hordes of emigrants passing through the country seem to have scattered death and disease in all directions. The tribes have suffered much from the small-pox and cholera, and perhaps still more from venereal diseases. The introduction of all these evils they charge, and I suppose justly, upon the whites. Whilst their melancholy condition is greatly to be deplored, it is exceedingly difficult to prescribe a remedy. I will briefly give my views on the subject, and let them pass among other theories for what they are worth.

For several years I have been recommending and zealously urging the policy of assembling the prairie and mountain tribes, and holding a general

council, by which means it was hoped more friendly relations could be established among the various hostile tribes, as well as with the whites. At the last session of Congress a liberal appropriation of one hundred thousand dollars was made to enable the President to assemble the widely scattered tribes, and consummate a treaty such as I had proposed.

In obedience to the instructions of the department, I commenced early in the spring to take the necessary steps to assemble the various tribes at Fort Laramie, at which place I met them as commissioner to counsel and treat. On the 1st of September, 1851, I found collected at Fort Laramie and in the vicinity, eight of the prairie and mountain tribes, viz: Sioux or Dah-cotahs of the Missouri, Assiniboina, Gros-ventres, Ankoras, Crows, Shosh-onos or Snakes, Cheyennes, and Arapahoes; some of the above named nations were present en masse, men, women and children; others were represented by delegations composed of their chiefs, headmen and warriors. The number of Indians present was variously estimated at from eight to twelve thousand. They were nearly all strangers to each other, and had never met except on the battle-field. I took the earliest opportunity to call them together and explain the objects of my mission, which were received with great satisfaction. During the eighteen days we remained in council, the conduct of the Indians excited the admiration and surprise of everyone. Nothing occurred to disturb the harmony and good feeling in the slightest degree, and the various tribes separated on the same day for their respective homes, highly gratified with all they had witnessed and all that had been done; they all acted in good faith.

The result of the council was a confederated treaty among themselves as well as with the government of the United States. This important treaty, together with an explanatory report, and also a map made under the supervision of Indians, traders and old hunters, will be forwarded in a few days.

This map I regard as very important for the use of the department, as it shows the different sections of country claimed and occupied by the different tribes. The mountains and rivers are also laid down with more accuracy than can be found in any map I have seen. In making out this map I was greatly indebted to the experience of Agent Fitzpatrick, Father De Smidt, the celebrated missionary, Messrs. Culbertson, Bridges, and others, as well as to the Indian chiefs and warriors. Much is due also to Col. A. B. Chambers, editor of the Republican, who acted as secretary during the treaty, assisted by B. Gratz Brown, esq.

I believe that if the intentions of the treaty are fully carried out, it will enable the mountain and prairie tribes, parties thereto, as well as others that may come in as parties hereafter, gradually to become agriculturalists and herdsmen. Hard necessity will soon compel them to change their mode of life or perish. As a means of turning their attention to agricultural and grazing pursuits, I would recommend that a suitable section of the country, somewhere on the Missouri or its tributaries, be assigned to the half-breeds, who are becoming very numerous throughout the Indian country. The fathers of most of these half-breeds are still living, and residing in the country with their families. They still retain a sufficient knowledge of the arts of civilized life to support themselves by the products of the soil. A half-breed colony, properly located in the midst of the Indians, would form a semi-civilized nucleus around which the wild Indians would soon be drawn by necessity to assemble. Here, too, might be established the government agency, missionary, and trading estab-

ishments, where their physical wants could, to some extent, be supplied. The example, too, of the half-breeds, who would be compelled by want to turn their attention to agricultural and mechanical pursuits, would be of more advantage to the Indians, intermixed as they are with them, than all the government farmers that were ever sent among them.

Another half-breed colony of the same character should be established at some suitable point on the head waters of the Arkansas. During the recent council at Fort Laramie I talked this matter over frequently with the half-breeds and Indians; both parties were delighted with the plan, and I would have consummated the arrangement at once, but did not think it came within the scope of my instructions. It is a plan, however, which I recommend to the serious consideration of the department, and hope to see it speedily carried into effect. It would cost the government nothing, as the Indians would cheerfully donate the lands. By expending a portion of the annuity promised by the Fort Laramie treaty in domestic animals, agricultural implements, seeds, &c., the proposed and inevitable change in the condition of the Indians could be greatly facilitated.

Should the government determine to establish these half-breed colonies, I would earnestly recommend that they be located as far as possible from the great thoroughfares leading to New Mexico, California and Oregon. The expediency of this will be evident to every one who has been in the Indian country, or thought upon the subject. I will at any time describe and designate the localities that, in my opinion, would be most suitable, should the proposition be favorably considered by the department.

Respectfully submitted,

D. D. MITCHELL,

Superintendent of Indian Affairs.

HON. LUKE LEA, *Commissioner of Indian Affairs.*

No. 8.

SAC AND FOX AGENCY, September 17, 1851.

SIR: I have the honor to submit to you the following report of the condition of the various Indian tribes in this agency since December last, at which time, you are aware, I entered upon the discharge of my duties as Indian agent. When I first arrived at what was then the Osage river agency I ascertained that, owing to the unparalleled drought which prevailed in this region during the summer of eighteen hundred and fifty, a very small quantity of corn had been raised by any of the tribes in my agency, and that they were all very destitute of the means to subsist on during the winter. The confederated tribe of Sacs and Foxes numbering, according to an enrolment made in May last, twenty-six hundred and sixty, being much the largest tribe in the agency, and occupying a country in which the soil is very sandy and greatly inferior in quality to that occupied by any other tribe over which I had any control, were in a much worse situation than the others. Fortunately for the Sacs and Foxes they had been set apart by treaty stipulations which could be applied to supply their wants, which was ample; and without delay the necessary steps were taken to have them furnished with about three thousand bushels of corn, which enabled them to sustain themselves well through the past winter.

The Ottawas, numbering two hundred and twenty-four, and a little band of Swan creek and Black river Chippewas, numbering only thirty-three, being much further advanced in civilization than the Sacs and Foxes, and being more disposed to follow agricultural pursuits, although very scant of means to subsist on, were in somewhat better condition; and were able, by living economically and by purchasing some provisions in the State of Missouri, to get through the winter without suffering.

The Kansas Indians are a wild roving race, who have made scarcely any change in their nomadic habits. They raise but small patches of corn, and rely principally upon the chase for a subsistence, living on the Neosho river, at and near the council grove, a hundred and thirty miles west of the western line of Missouri, situated convenient to the buffalo, which are found in large herds on the vast undulating prairies west of them; they usually have a sufficient amount of dried meat to supply their wants through the winter months, and suffer less than any other tribe under my charge from a failure to raise a crop of corn. They trust more to their guns, bows and arrows to provide means to subsist on, than they do to genial soil and rains. This tribe, according to the enrolment made by me at the payment of their spring annuity, numbered thirteen hundred and seventy-five.

As a new agency has been created, embracing the Piankeshaws, Weas, Peorias, Miamies, and a few Kaskaskias, and as I have not had any control over them since the first of July last, and as a report will be made by the agent for these tribes, I deem it only necessary for me to say that all of them are making some advancement in civilization, except the Miamies. The large annuity annually received by the last named tribe for many years from the government, instead of being applied by them to any wise or beneficial object, such as would be calculated to elevate them in an intellectual, moral or agricultural point of view, has, on the contrary, encouraged them to live an idle life, to indulge in frivolous extravagances, and in the free use of intoxicating liquors; living near the State line, their facilities for getting liquor at all times are so great, that no agent heretofore has been able to suppress the whiskey trade carried on in the State of Missouri by a few lawless white men with these Indians; and it may be truly said, that the large annuities received by the Miamies have disappointed the expectations of the government, and proven a curse instead of a blessing to them.

The great difficulties experienced by all the tribes under my charge in procuring provisions to supply their actual wants during the past winter, has, I am satisfied, had a salutary influence with them. They commenced planting corn early this spring, and have planted a larger amount than usual: their crops are fine, and will afford them abundance to subsist on. Some of the braves among the Sacs and Foxes, who have been reared to believe that it was degrading for an Indian warrior to be seen tilling the earth, and that the war club and rifle were the only becoming instruments to be seen in their hands, this season have taken hold of the plough, and rendered valuable assistance in preparing their fields for the present crop; as a general rule, however, the men among the Sacs and Foxes are averse to laboring at agricultural pursuits; nor is it strange that this prejudice is so deeply rooted in the bosom of the Indian men, when we reflect that a sense of degradation is associated with such pursuits in the lessons they are taught in childhood; and in early boyhood they are accustomed to hear their chiefs and braves by their camp fires at night, tell of the perils

and dangers through which they have passed, and their thrilling stories of heroic deeds. The recital of bloody frays, and the marked distinction shown by the rest of the tribe towards those who have been the principal actors in these sanguinary scenes, cause the young men in the tribe to look to the war path as the only road to distinction. The Sacs and Foxes speak the same language, and are more opposed to schools, missionaries, and to building houses, than any other tribe on the northwestern frontier. When I proposed to them to use a portion of the fund set apart by the fifth article of the treaty of 1812, for the purpose of building a mill and relieving their women from the labor of beating meal, they replied that they would not have any objection to a mill, if it were not that it would bring missionaries among them. They are of opinion that so soon as they permit houses of any description to be built for the use of their tribe, that the extraordinary charm which they suppose to be in their medicine bags and medicine lodge will cease, and that the religion of the white man will be implanted in their stead. This medicine lodge is a secret society, hereditary in certain families, and the members of it are the living repositories of the secret mysteries and religious superstitions of their tribe. They meet, as I am informed, once a year; when the meeting begins you see the Indians flocking to it from all directions; for two days the initiated keep themselves in a lodge prepared for the occasion, and the rest of the tribe are not permitted to enter. At the expiration of two days the members of the lodge come forth, and for three days and nights, without intermission, they keep up their religious worship. The medicine men exercise a great influence over the rest of the tribe, and the common people believe that they possess the power, when they displease them, of punishing them by inflicting them with great calamities. I fear that many years will elapse before these people will make much advancement in civilization. Being more numerous than any other tribe in the Sac and Fox agency, devoted to the chase, leading an idle life generally when they are in their towns, and having but little regard for the rights of property, they frequently annoy the neighboring tribes greatly by committing depredations on their property. They have, I think, since my arrival among them, abstained from hostilities with all other tribes. They complain, however, that the Osages, during their summer hunt, committed a cold blooded murder on a young Fox, who was sick at the time he was attacked by the Osages. As the young Indian killed was a man of some standing in his tribe, and the only son of an aged father, the Sacs and Foxes were much exasperated at the perfidy of the Osages. I hope, however, that they will not attempt to avenge their wrongs. I have told them the evils which would result from such a course, and they have assured me that they would be peaceable, and trust to having justice done them. Sometime in May a Missouri Sac, who had been exposed to small-pox, came to a village in the Sac and Fox country, and in a few days after his arrival he broke out with the small-pox. This disease which has been one of the severest scourges that ever befell the Indian race, rapidly spread to most of the Sac and Fox villages, and, as a majority of the cases were of the confluent form, many of them fell victims to it. The Indians became alarmed, and at the request of the chief a physician was appointed for them. As the majority of the Indians had exposed themselves to the contagion, it was thought most expedient to try and persuade them to submit to inoculation; nearly all of the Sacs and a part of the Foxes assented thereto, and were induced to encamp within about a mile of the agency

buildings for the purpose of being inoculated. It is but an act of justice to the traders among these people for me to state, that they rendered every assistance in their power, in using their influence with the Indians to persuade them to follow the advice given to them by myself and their physician. Dr. Edwin R. Griffith, the physician for the Sacs and Foxes, visited them daily, and manifested a laudable zeal in endeavoring to alleviate their sufferings. About seventeen hundred Indians were inoculated, out of which number about forty died with small-pox. A majority of those who died after they were inoculated had some fever when the matter was inserted in their arms, and it is believed were laboring under the symptoms of constitutional small-pox when they were inoculated. These Indians are much indebted to their physician for the skill displayed by him in treating them, and for staying this desolating disease. They were inoculated with small-pox virus, adulterated with new milk; those who lived abstemiously suffered but little from the effects of inoculation, and had usually but a single scar on their arms. The Sacs have gotten through with small-pox; but a large band of Foxes, I regret to state, were so completely under the influence of an old Winnebago prophet, who resides among them, that they were deterred by him from being inoculated; the result is, that they are yet suffering with this disease, and have, with the hope of getting rid of it, scattered in every direction. Great as has been the loss of life in this confederated tribe from small-pox, I think it probable that the flux has carried off nearly as many. This last named disease made its appearance about the time the Indians commenced using their green corn; a number of grown persons died with it, and the mortality from it among the children was very great. From the best information I can get, I think about three hundred of the Sacs and Foxes of Mississippi have died since the latter part of May, 1851. It is said by the traders who have resided among this tribe for a number of years, that they have, during the last spring and summer, drunk less spirituous liquor than heretofore; but I occasionally hear of a drunken frolic at their villages, and on such occasions the chiefs unfortunately play a prominent part in the drunken carousals. Keokuck, the principal chief of the Sacs, and Powashick, the head chief of the Foxes, are both well disposed men, but neither of them are Sons of Temperance. Tack Quas, a chief or leader of a strong band of Sacs, never tastes ardent spirits, and uses his influence with his band to keep them from it; the result is, that he has decidedly the soberest and best regulated band in this tribe. The gunsmiths among the Sacs and Foxes find constant employment, and the present smiths have discharged their duty in a manner satisfactory to myself and the Indians. The blacksmiths have done a smaller amount of work this season than usual, owing to this tribe having suffered so much from disease.

The Chippewas live about a mile and a half from some of the Sac villages: their contiguity to the Sacs and Foxes, and their number being so few, subject the produce they raise on their farms, and their horses and cattle, to be frequently depredated upon by the lawless freebooters who are found among the Sacs and Foxes. The result is, that the Chippewas have become disheartened, and are not making any advancement from their present half-civilized condition. It may be said, why not compel the wrong-doers to pay for the injuries they commit? The answer is, in a large majority of cases, the offence is perpetrated with so much secrecy that the offender leaves no clue by which he can be found out. I would respect-

fully suggest the propriety of passing laws, in addition to those now in force, for the purpose of punishing Indians of one tribe for depredations committed on the property of Indians of a different tribe. Such laws would, in my opinion, if properly executed, have a happy influence in suppressing such offences, and would give additional encouragement to the tribes disposed to follow agricultural pursuits. All of the wild tribes have a great horror of a prison, and the fear of such punishment would terrify them to such an extent, as to induce them to let the property of others alone. I would also suggest, that the present law by which the annuity of the whole tribe is subjected to the payment of claims for depredations, instead of the annuity of the person who commits the offence, is certainly not calculated to accomplish the object intended. It is no punishment to the thief who steals three hundred dollars worth of property, to have, perhaps, a dollar taken from his own annuity, and the rest from the annuity of the whole tribe, to pay for the injury he has done.

As the band of Chippewas in this agency is very small, it is my impression that the most prudent course for the government to pursue, to promote their interest and advancement, would be to make some arrangement to confederate them with the Ottawas who belong to this agency, and to locate them on the Ottawa land. The language of the Ottawas and Chippewas and their per capita annuity are about the same; and I feel confident that the confederating of these tribes would have a beneficial influence on the ultimate prospects of both of them. The Ottawas present a spectacle more gratifying than any other tribe in this agency: they have cast aside the Indian costume, abandoned the chase, shaken off that cloud of superstition and prejudice which formerly prevented them from seeing and appreciating the advantages resulting from a civilized life, devoted now to agricultural pursuits, and, being generally industrious, the eye of the traveller who passes through their country is cheered with the sight of comfortable houses, and respectable and well cultivated farms; sober and moral in their habits, many of them have professed the Christian religion, and are exemplary members of the Baptist church. The Ottawas have no schools, but the Rev. Jotham Meeker, a Baptist missionary, resides among them, mixes with them in their private circles, and by his every day example, and his conversations with them by their firesides, he impresses the great principles of the Christian religion upon their minds. Having resided among the Ottawas in the capacity of a missionary for years, he has acquired an immense influence with them, and wisely exercises it. This gentleman receives no aid from government, and but little from the society of which he is a member; but being actuated by no mercenary motives, he has done as much to elevate the condition of the tribe in which he lives, as any one who has been toiling in the missionary cause among the Indians. For further information concerning the Ottawas I refer you to the accompanying report of Mr. Meeker.

The Pottawatomies having, since the death of their late agent, been placed under my charge temporarily, although they are a powerful tribe, my knowledge of them is too slight to enable me to give you any reliable information concerning them. The only tribes under my charge, in which schools are taught, are the Kansas and the Pottawatomies. No reports have as yet been received from those gentlemen who have charge of these schools; as soon as they are received I will forward them. In conclusion, I will state, that it is my opinion that but little improvement will be seen

in those tribes addicted to the chase, and receiving large annuities from the government, until new treaties are made with them, and their consent obtained to apply the greater part, if not the whole of their annuities, to agricultural and educational purposes. When this is done, as the game is rapidly decreasing, necessity will compel them to turn their attention to agricultural pursuits.

Your obedient servant,

JOHN R. CHENAULT,
Indian Agent.

To Hon. L. LEA,
Commissioner of Indian Affairs.

No. 9.

OTTAWA MISSION STATION,
September 12, 1851.

SIR: You are aware that the Ottawa's crops of last year almost entirely failed, owing to the great drought which prevailed in this region. Consequently their time has been much occupied during the last winter and spring in procuring needful supplies from the State of Missouri for their families and stock, on account of which they have not been able this year to show an average increase of fields and houses.

But they have continued to show a commendable zeal in their recently acquired industrious habits. Kind Providence has given them another fruitful season; their fields have been, and now are richly laden with the proceeds of their labor. From two to nine or ten stacks of oats and hay are now to be seen on almost every farm in the nation; and we expect soon to see an over supply of corn, potatoes, pumpkins, &c., gathered and secured for the winter.

They have cultivated this season from about five to forty acres to each family: have now enclosed, including pastures, with good rail fences, about six hundred and seventy-five acres of land, which is, on an average, about three acres per head.

They own about three hundred head of cattle, one hundred and fifty horses, fifty hogs, twenty-five sheep, and seventeen wagons. Five years ago they owned, perhaps, twice the above number of horses and six or eight hundred hogs; but some thievish tribes being removed into their immediate neighborhood, they find it very difficult to keep horses, and almost impossible to raise hogs.

The Ottawas have entirely laid aside their former superstitious modes of worshipping; and almost every trace of Indian habit is gradually receding before the superior habits of civilization.

Not only the men, but the women also, have nearly all adopted the dress, modes of labor, appearance, &c., of the whites. Many of their houses are now furnished with chairs, tables and bedsteads, and some with bureaux, presses, wardrobes and clocks, with pictures, taste and cleanness equalling and even surpassing thousands in the States who have been brought up in the midst of civilization and refinement.

For more than three years now past, not a drop of ardent spirits has to my knowledge been brought into the Ottawa country, excepting that which

is carried through by white men, and that which is designed especially for medicine. They have for the last three or four years been increasing in numbers. Since the beginning of 1850 there have been in the tribe fifteen births and only eight deaths.

Although they have no school within the tribe, still thirty-one of their children are being educated at schools among the Pattawatomies and Shawnees, fifteen boys and sixteen girls, the most of whom are placed by their parents and guardians under my immediate control, and are not allowed under any pretext to leave the schools, except during the yearly vacations.

The Sabbath is regularly observed by nearly every family in the tribe; Sabbath and other religious meetings are well attended. Some eight or ten are fluent speakers at our religious meetings; regular family worship is attended to in every religious family; and all open hostility to Christianity has been laid aside for four or five years past.

The undersigned and his wife are mainly occupied in teaching, encouraging, and assisting both men and women in acquiring and pursuing every kind of useful employment on the farm and in the house—in administering medicine, &c., to the sick—in preparing Indian books, and teaching such as cannot understand English; and in teaching, both privately and publicly, the doctrines of the Bible.

Most respectfully, I am, dear sir, yours, &c.,

JOTHAM MEEKER,

Missionary of American Baptist Mission Union.

To Maj. J. R. CHENAULT,

United States Indian Agent.

No. 10.

WASHINGTON CITY, November 24, 1851.

SIR: The rules and regulations of the Department require that each Indian agent, sub-agent, &c., make an annual report of his own proceedings, as well as of the condition and disposition of the tribes under his charge. Such reports we are instructed to forward on or before the 1st day of October in each year. You are aware that my duties have been such, during the past eight months, as to make it entirely out of my power (without neglecting very important duties) to comply with the above regulation. But notwithstanding the proper time has passed by, I take the liberty of submitting a brief account of my own proceedings, from the time of my departure from Saint Louis until the meeting of the great congress of Indians near Fort Laramie, in September last.

After receiving my instructions from the superintendent of Indian affairs at Saint Louis, and purchasing a few Indian goods for the purpose of making small presents to the different Indian tribes with whom I expected to meet, I departed from Saint Louis on the 22d of April. At Kansas, four hundred miles above, I disembarked with my outfit, procured by purchase the necessary means of transportation, and in a few days was prepared to start on the plains, in company with a small party of Santa Fé traders. The trip out to the Arkansas was pleasant, and altogether a happy and agreeable one, with the exception of a very unusual scarcity of water, a deprivation which is often attended with disastrous consequences in the

wilds of the West. When we arrived on the banks of the Arkansas river, where we expected to find an abundance of that necessary of life, we found but two small pools of stagnant water, offensive to smell and taste; so much so, indeed, that half famished horses and mules would not even taste it. The offensiveness of the water arose principally from the immense quantity of fish of various kinds, dead and dying, in and about the pools. We ascended the river over sixty miles, without finding a drop of water otherwise than by digging to a considerable depth. On the first day of June we arrived at what is called the New Post on the Arkansas, by some called Fort Sumner, a small insignificant military station, beneath the dignity of the United States, and at the mercy and forbearance of the Indians; but I will speak of this and other posts further on. At the time of my arrival at this post, there were scattered around, in its vicinity, various small squads of Indians, all of whom I visited, and made known to them that my object in coming among them at that time was to collect all the Indians in that part of the country, which could be reached in proper time, at this post, for the purpose of holding a "talk;" and that I had a message of very great importance from their great father to communicate. I then started runners in every direction, and in the course of twelve or fifteen days thereafter the country around, on either side of the river, was literally covered with lodges. The Camanches, Kiawas, Apaches, Arripahoes, and Cheyennes were there. At the meetings which ensued I appointed a day for each tribe to come separately, and hold "a talk;" gave them a feast of bread, pork, and coffee, and at the same time gave a small present of Indian goods to each band, in proportion to their numbers. At the second and separate meeting, I explained to them that their great father had it in contemplation to do something for them, and make restitution for any damage or injury which they were liable to, or might suffer hereafter from American citizens travelling through their country; for which purpose he had sent me in advance to invite them all to collect at or near Fort Laramie on or before the first day of September, at which time and place they would meet officers invested with full power from their great father, to make such arrangements as would be beneficial and advantageous to them, as well as satisfactory to their great father and the people of the United States. I told them also, that, so soon as the compact was completed, and the agreement drawn on paper, approved and signed by all parties, there would be a large quantity of goods divided among the different nations parties thereto. The Camanches, Kiawas, and Apaches at once refused going so far off, and among so many strange Indians; stating that they had too many horses and mules to risk on such a journey, and among such notorious horse thieves as the Sioux and Crows. They stated, also, in presence of all the other Indians, that they were already at peace with the American people, and were determined to stand by that peace, yet had no objection to enter into further arrangements by signing papers; but that any business of the kind transacted between them and the United States must be done on the Arkansas river, or in their own country.

Thus ended the "big talk." The Cheyennes and Arripahoes agreed to go to the great council and treaty ground, and commenced making preparations for their departure. I advised them to travel across in small divisions, and procure as much food on the way as possible; the distance being six hundred miles, and through a country abounding with game of the following description, viz: buffalo, elk, deer, antelope, and grizzly

bear, besides a great variety of the different kinds of water-fowl indigenous to the United States. Before their departure, however, Col. Sumner with his command, *en route* for New Mexico, arrived, and encamped one and a half miles above the post, and near a very large encampment of Cheyennes. The command remained, recruiting their animals and making further preparations to prosecute their journey, the best part of two days, during which time the Indians had free intercourse in and about the military camp, a privilege, in my opinion, which should never have been allowed. Indeed, I was much astonished, and regretted to see such familiarity, as in no country and among no people is the adage "familiarity breeds contempt" better exemplified than in that country and its natives. Such free and unrestrained intercourse, carried on between officers, privates, squaws, and Indians, not braves nor chiefs, but, as the Indians themselves would term them, "dogs," was certainly a new thing to me, and what I have rarely seen allowed even by the traders. I felt apprehensive that serious consequences would ensue, and my apprehensions in this respect were verified to some extent, as the sequel will show. I have frequently witnessed a want of self-respect exhibited by men in high positions on such occasions, thereby inviting the disrespectful and rude treatment of the untutored Indian; and I regret that the idea prevails to a more or less extent among many persons, that to receive the respect and attention of Indians, one must cast off all the restraints of civilized society, and assume conduct and manners entirely the reverse. Such, however, is a great error, and I do without hesitation assert, that there is no course more proper for a white man to pursue among Indians than an upright, virtuous, and moral one, both in conversation and conduct; and moreover, that the very rules of decorum which govern a gentleman in civilized society are both suitable and applicable in his intercourse with the Indian race.

The misunderstanding above alluded to arose from the fact that one of the officers gave a Cheyenne brave a good sound flogging with a large carriage-whip, the cause of which was some unseemly conduct towards the wife of said officer, and of a character which I have never known the Indians of that country to be guilty of before, at least such as have the least pretension to friendship. At any rate the whole tribe then present became very much exasperated, and asked me for reparation for the insult offered to one of their braves. While this was going on, Colonel Sumner struck his tents, and proceeded on his journey to New Mexico, leaving the Indians in that exasperated state alluded to above. On the evening of the day on which Col. Sumner left, I was visited by a delegation of Cananche and Kiawa Indians, who told me that the Cheyennes intended to attack the whites, and invited them to join them. I immediately communicated this intelligence to Colonel Hoffman, then commanding at the post, who at once despatched a messenger informing Col. Sumner of the report. Col. Sumner, prompt to act, returned the next day, and planted his whole command within striking distance of the Cheyenne encampment. This manœuvre greatly alarmed the Indians, many of whom commenced striking their tents, while others came to me to know the cause of the return of the troops. I told them candidly the cause, and at the same time remarked that I regretted very much that so trifling an affair should interrupt the friendly relations which had existed between them and the Americans for a number of years. They denied having any such intention as reported by the other Indians, and stated that no one of their nation felt aggrieved

except the individual who had received the lashes. They then requested me to accompany them to Col. Sumner's tent, where the whole matter was satisfactorily settled and explained, the aggrieved person having received a blanket as an unction for his wounds. I have dwelt on the above seemingly trifling subject longer perhaps than is necessary, but my object in doing so is to give the whole affair, and to show how such trifling matters are oftentimes fraught with serious consequences. At that very time small trains were passing to and from New Mexico every day, and entirely at the mercy of the Indians, whenever they felt disposed to injure them. Soon after this occurrence, and the departure of Col. Sumner, I departed for Fort Laramie, where I arrived on the 25th July, having left the New Post on the 3d. Nothing further transpired worthy of notice between that time and the meeting of the different tribes with the United States commissioners at the great rendezvous. After the business for which we collected was completed, a general breaking up took place, and every one, Indians as well as whites, manifested their anxiety to reach their homes and hunting grounds.

A delegation from the principal tribes there present were selected to accompany us, and make a tour through the United States, a measure which was supposed would be attended with beneficial results. One of this delegation has already committed suicide, and from the apparent depression of spirits prevailing among others of them, it would not surprise me in the least to see others commit the same act.

Before closing this communication I will take the liberty of making a few remarks on the utility and condition of this "new post," and all such military posts in that country. This one, and Fort Laramie, are such as I have always been opposed to have established at all, for the reason that they are barely able, in case the Indians were hostile, to defend themselves within their own walls. There is not a single day that passes in which the Indians could not, if disposed to do so, strip and deprive these posts of all their resources, murder the different fatigue parties in detail, and drive off all the horses and stock belonging to either post. I refer particularly to the Arkansas and Platte posts, and I presume all others in New Mexico and contiguous to the Indian country are in the same condition. What, then, can possibly be the use in keeping up, at such enormous expense, such places? If these men are to be fed and clothed at the expense of the government, would it not be more economical to do it at some other place at a less cost?

I do not wish to be understood as saying that military posts are not necessary in that country; on the contrary, I am well aware of the importance of such as are to be respected and feared, and not such as are a source of ridicule and contempt.

The Indians of that country are much more formidable than is generally supposed, which might well be inferred from the trouble and numerous depredations committed by a few starved, unarmed Indians of New Mexico, who, in despite of all the troops in that country, have been acting and doing just as they pleased during the last four years.

I will now respectfully suggest a course which I think would be proper and advantageous, and economical for the government to pursue in that country, which is, to furnish the Arkansas river country with not less than three hundred mounted men, and the like number on the Platte at Fort Laramie. This large force, by pursuing a judicious and proper course, may be with-

drawn in the course of a year or two. In addition to which I would suggest the expediency of establishing an Indian agency for the Camanche and Kiawa Indians on the Canadian fork of the Arkansas, and one other agency at or near the mouth of the Yellow Stone river, for the Crows, Assinaboines, and other Indians in that vicinity, parties to the late treaty. This ought to be done at once and without delay. It is useless to refer to the difficulties which the government of the United States is likely to have to encounter ere long in its western territories; suffice it, that the late news from New Mexico and Utah are indicative of approaching troubles.

There is one other subject of great importance to the welfare and tranquility of the country assigned to me as agent. It is that of the half-breeds and white men married to Indian women in that country. They are becoming numerous, and in a few years will become formidable. They have of late years become very quiet and orderly, and are desirous only of settling down at some place where they would be protected in their rights, and allowed to follow agricultural pursuits. These men have been heretofore in the service of the principal traders, but are now driven from their employ on account of the increase of their families, and forced to seek some other occupation for their maintenance and support.

These men applied to the commissioners at the late treaty near Fort Laramie to procure them a reservation or grant of land in the country belonging to the Cheyennes and Arripahoes. The Indians to whom the country belonged refused making such a grant, inasmuch as it included the half-breeds of all other tribes. Since that time, however, the delegation now in this city are desirous of consummating this arrangement, since their proximity to a settlement of whites and half-breeds would naturally give them much valuable information in agriculture and the mechanic arts. They are becoming fully sensible that the time is fast approaching when they can no longer depend on the chase for a subsistence.

It is well known to all men conversant with the history of the United States and the rapid extension of our settlements, that there is, and always has been a class of men such as I have been speaking of, continually in advance and opening the way for a more refined and civilized people. Such are the class of men now in the Rocky mountains, and such was the very class of men who first unfurled the stars and stripes in Oregon; at a time, too, when the British Hudson Bay Company were all powerful. That Territory is now one of the most loyal, law-abiding, and prosperous of any in the west, and many of those old trappers and traders are now in the councils of that Territory. These remarks have been called forth by a knowledge of the fact, that the few troops on duty in that country are strongly prejudiced against this class of men, and are disposed to persecute them to any extent, even so far as to separate them from their families and drive them out of the country. A consideration of these facts induced me to address the following letter to the commanding officer at Fort Laramie before my departure from the Indian country:

“ENCAMPMENT AT HORSE CREEK,

“September 22, 1851.

“DEAR SIR: As I am about to be absent from the Indian country for several months, leaving you in authority, I would wish to submit a few words of explanation in regard to the resident traders. At present they are all without licenses, and as my time is so limited as to preclude the idea of

making them out at this moment. I therefore request that you will consider them all as properly authorized to trade while in the lawful pursuit of their business, and until my return in the spring. As far as past transactions or violations of the 'intercourse laws' are concerned, let no action be taken; but in regard to all subsequent transgressions and violations, you will of course exercise your own proper discretion. My omission to give them their papers (which papers would necessarily have to be forwarded to Washington city for authentication) might perhaps place them in an unpleasant position: and I trust, therefore, that the above statement will be satisfactory to yourself and avoid all trouble.

"Very respectfully, yours,

THOS. FITZPATRICK,

"Indian Agent."

Captain W. S. KETCHUM."

A census of the Indians, parties to the late treaty, ought to be taken as soon as practicable, and, in the event of its ratification, places and localities whereat the different tribes may receive their quota.

All of which is respectfully submitted by your obedient servant,

THOS. FITZPATRICK,

Indian Agent, Upper Platte agency.

To Hon. L. LEA,

Commissioner of Indian Affairs,

Washington city, D. C.

No. 11.

POTTAWATOMIE BAPTIST MANUAL LABOR SCHOOL,

September 1, 1851.

The period has arrived when it becomes my duty to report the condition of the Pottawatomie Baptist manual labor school in my charge; and as there is at this time no agent for this tribe, I address this directly to the Indian department.

From the date of my last report no material change has taken place in the affairs of the institution. An additional field has been plowed and added to the farm land; some milk cows have been purchased, and one yoke of oxen.

The quarterly reports will show the number of pupils entered from time to time, and the period of their stay at the institution.

During the first quarter of the present year the whole number of pupils received was ninety Pottawatomies, and one from the Kansas tribe.

On the second quarter, on account of the failure to receive any aid from the government on the contract, the number of pupils was reduced to seventy-five, at which limit the school has been kept to the present time.

As evidence of the good condition of the school, perhaps more satisfactory to the department than any thing I could say, I beg leave to offer the following, transcribed from the original certificate (in my possession) of Mr. Stilly, a gentleman who examined our school at the instance of Superintendent Mitchell:

"By the invitation of Dr. Lykins I have this day visited the school at the mission under his superintendence.

"After having witnessed an examination of the pupils in reading, writing and geography, as well as examined their specimens of needlework, take great pleasure in testifying to their progress in these branches of education.

"From the short time since the school has been established, and the numerous great difficulties to surmount, much credit is due to the untiring perseverance of the superintendent and his able associates, Mr. J. Ashburn and Miss E. McCoy, for these happy results. It is to be hoped that the attention of the government will be directed to the advancement and encouragement of this mission, as the result to be obtained in this establishment (the welfare of the Indians) cannot be more truthfully carried out than by the system adopted at this institution.

"GEORGE STILLY."

Similar testimonials of others might be added, but it is deemed unnecessary. I also offer the following, from the report of the teacher of the female department, made to the society:

"Our children all improve well in every respect. I never saw white children who excelled them in letters, and but few that would equal them in sewing and fancy work. Of thirty-three girls (the number we now have) fifteen read, six write, five study geography and arithmetic, and one grammar: and, so soon as books can be procured, three or four will study United States history.

"Of the boys, six study the third reader, six second reader, thirteen first reader, six geography, twelve arithmetic, and thirteen writing.

"The number of advanced scholars is small; but when we consider their total ignorance of the advantages of education and the English language; we almost wonder at their progress, for they have every thing to learn; and to say nothing of the inconvenience under which we have labored, the multiplied duties which, for want of more help, have made sad encroachments upon the time that should have been devoted to the children, I would be proud to compare them with any common country or village school among white people.

"We now have upwards of seventy, and a number of others are expected every day. The school is gaining popularity every day; many who, not long since, were bitterly opposed, are now bringing their children. All this increase is entirely without effort on our part; indeed, we have in some degree tried to keep them back, owing to our want of means to furnish supplies. But all is of Providence. Oh, that we may ever be kept humble, and trust Him for all future need. There is nothing that I regard as a more striking evidence that the Lord is on our side than the improvement of our large scholars; some, who formerly gave us almost constant trouble, are now obedient, kind, and even affectionate, while they show all the interest in their own improvement we could expect."

This section of country, so influenced the last season by drought, is, the present one, likely to yield the most abundant crops: wheat sown on the mission farm matured well, and we have an ample supply for the use of the establishment. The remainder of the crop—corn, potatoes, beans, &c., promises well.

The Indians planted more than usual, and their fields present the highly encouraging prospect of abundance of the supplies raised by them. In two instances half-breeds sowed wheat, of which they are now eating flour ground at their national mill.

The present autumn many talk of sowing wheat; than which nothing could, to a greater extent, lessen their cash outlays, and promote their means of subsistence.

But while we have been cheered by an increased interest in their schools and advances in agricultural pursuits, we have witnessed with the deepest regret a retrograde in their habits of temperance.

From reasons, perhaps unnecessary to mention, they have drank to a greater extent, and have introduced ardent spirits more freely and with less hesitation than previously known: added to this most disheartening circumstance, from Colonel Sumner's regiment passing through their country they contracted the cholera, and many have fallen victims to this dreadful scourge.

A few days since I met in the road an Indian wagon containing a barrel of whiskey, accompanied by horses laden with kegs, all on the way to a village where the cholera was then raging. The result is not difficult to anticipate.

In thus again referring to this bane of all our hopes for the red man, the use of ardent spirits, it is from no desire to dwell upon a subject so painful, nor from any expectation of imparting to the department information of which it is ignorant; but from the hope that some means may be devised to arrest the evil. Indeed, I do not regard the attainment of this object as attended with the least difficulty, if suitably attempted.

The arrest of two or three offenders by a few soldiers detailed for the purpose, and punishment under existing laws, would at once and effectually suppress this dreadful evil to the Indians, and chief obstacle to the attainment of the object sought by the praiseworthy and self-denying missionary who labors for their rescue. It is surely due the poor degraded Indians, as well as the various Christian societies who labor for them, that it should be done.

The present quarter closes the third year since the society entered into contract with the government for the conducting of this institution; and I most respectfully beg leave to call your attention to the fact that only half the allowance for one year has been received by the society, \$2,250, while the whole amount accruing on the assignment up to this time is \$13,500. The effect of this has been to paralyze and cripple our efforts, place us to bad advantage before our people, and greatly embarrass the superintendent of the school.

I am aware that cunning and malicious men, in accordance with the cherished hatred of such to all moral and religious influences, have sought, by means the most low and unmanly, to arrest the allowance stipulated for the support of the school, by stabbing in the dark the reputation of those in charge of the school. But, based upon the truth of what I say, it is my privilege to assert, that the statements and accounts of the superintendent of the school can and will, at the proper time, be sustained by the testimony of persons of the most unimpeachable character, and such as are entitled to credit in any court of justice whatever.

Against one of the persons engaged in this unholy attack upon character and religious institutions, the undersigned has brought suit for libel and

damages, with the view, not only to obtain justice, but to place the facts of the case before the public.

Neither am I ignorant of the fact, that in the Department of the Interior statements and affidavits of the most malicious character have been filed to my injury; but I have relied upon the unanimity of the department to protect me from a species of persecution so directly in conflict with the rights of a citizen, and so little in harmony with the spirit of American institutions.

Very respectfully, your obedient servant.

J. LYKINS, *Superintendent, &c.*

To Hon. LUKE LEE, *Commissioner of Indian Affairs,*
Washington, D. C.

No. 12.

KANSAS AGENCY, August 25 1851.

SIR: I now communicate to the department such remarks as suggest themselves, and as I deem necessary and proper to be made on this occasion, in making my annual report of the condition of the several tribes of Indians under my charge in this agency.

The short time that I have been agent for the Shawnee, Delaware, Munsee, and Stockbridge Indian tribes, will release me from a more thorough scanning of their peculiar condition, whether for prosperity or adversity.

As I have not yet been furnished with a solitary government record, or paper, or treaty book, belonging or pertaining to these tribes, what little of information I possess in their matters I have derived from the best sources at my command, and by frequent personal visits and intercourse with the tribes.

I shall commence, first, with the Wyandottes, whose condition and history is better known to me.

I am sorry to be under the necessity of saying that the Wyandottes have, for the last twelve months, manifested by no means evidences of advancing and meliorating their condition in the scale of civilization, the means to do which are so ample, and at their command—possessing the most fertile and productive soil, and contiguous to the very best market for all the surplus they might have, if only excited by frugality and industry; too few avail themselves of the great advantages with which they are surrounded, and a spirit of discontent seems to operate on the minds and acts of these people somewhat unusual.

The three schools established by the nation have been sparsely attended this year by the children, and not approaching the number in attendance for the past two years by one half. Their farming operations seem also to have fallen off, except a few who make an honorable and praiseworthy exception. I can only attribute it to the superabundance of money they have received during the spring and summer of this year.

They have already drawn from annuities, and the recent sale to the government of their wild lands, some sixty-five dollars per head; and the melancholy consequence has been drinking and drunkenness, with all its accompanying vices and misery, to an extent never witnessed among these people.

I have called upon the chiefs of the nation, time and again, to aid me in putting at least some restraint to this daily deplorable practice, yet I have never even been successful in getting a promise to do so; and it seems to me those who rule as chiefs and ministers are restrained through fear from ordering their own strict laws upon the subject, or of aiding the officer of government to do so.

The nearness of my charge to the State of Missouri renders it next to impossible to prevent the Indians from going into the State and getting whiskey, and bringing it into the several tribes in small quantities, unless there was a body of soldiers stationed from one extremity of the line to the other; and this cannot be expected. Thus the fate of quite a portion of my charge seems doomed, and that before many years, to inevitable ruin and destruction.

I believe, and feel well assured, that large annuities of money afford a certain data by which the final extinction of the red men can, with arithmetical precision, be made. In the little tribe, now numbering less than six hundred, in the space of ten weeks there has been one murder, and several badly stabbed and injured, and some ten or twelve have died from the effects of drunkenness; and, in the mean time, about thirteen have died of cholera—the most of these were intemperate.

I am glad, however, to say, that in the Wyandotte tribe there are many honorable exceptions from this life of drinking and prodigality. Some event must soon take place with these people, calculated to better their habits, or great destruction inevitably awaits them. The foregoing remarks will apply to most of the tribes under my charge.

Since my appointment to this agency I have rode three hundred miles through and over the same, making several visits, and I have urged, time and again, all the Indians having authority to influence, if possible, their people from indulging in such extremes of drunkenness, but they seem unconcerned and indifferent; and the only remark they make is, "*that is what all their agents have told them.*"

I am clearly of the opinion that to pay the annuities *once* a year is the better policy; and if it could legally be made only once in *two* years, it would then throw the dissolute and drinkers upon their own resources, and perchance they might see the necessity of betaking themselves to some useful employment. I view annuities, in money paid to Indians, as a great misfortune, if not a curse, to a majority, as they are seldom benefited by it to the extent of its amount. If some plan could be adopted by which the annuities could be expended upon improvements, farms, or houses for the Indians, it would result to them and their families more beneficial and valuable.

I find the Shawnee people more industrious in the general, and better farmers than the neighboring tribes. Why is this difference? It must be because they draw but a very small annuity, not sufficient to attract traders, and they are thrown upon their own resources, and it is with them work or do worse. A majority of them seem to have adopted habits of industry altogether commendable; and besides, they have one other great advantage, if not a blessing; there are three manual labor schools in successful operation in this nation. These have been great auxiliaries in their reformation.

These missionaries for the Shawnee tribe have made their annual reports, which show a continued prosperity of these schools well deserving the fostering care and protection of the government; they are herewith sent

marked A, B and C: to them I beg to refer you for their progress, &c., more in detail.

I find the Delaware tribe much in the condition of their *uncles*, the Wyandottes. They, too, have drawn large sums of money this year, more than usual, besides their regular annuity of \$6,500. They received the amount of \$10,000 for their service in Florida, and from the Wyandottes, being the entire balance due them for their land sold to the Wyandottes, \$15,000. They have indulged freely in the intoxicating drink. I find not so much improvement in agricultural operations in this tribe as among the Shawnees: yet there are some respectable farms and farm-houses; a majority of them are several years behind the Shawnees in civil life and advancement, particularly in the education of their children.

In this tribe I find only one school: the report of the Rev. Mr. Pratt is herewith sent, marked D. This indefatigable missionary deserves great praise for the management and conducting of this school, whose benefits are so valuable to the Delaware tribe, being the only school within the limits of the tribe.

From my experience among the Indians, which has been for years, I am of the opinion that with the less civilized Indians schools should be scattered about in all the strong bands of a tribe. This would afford the parents an opportunity to often visit them. The Indians are remarkably fond of their children, and it is a difficult matter to get them to send them far from home.

The Delawares have disposed of their education fund for several years yet to come: it being vested in the Shawnee mission manual labor school. They have, for some cause not correctly known to me, refused to send their children to the Shawnee mission school, which their fund sustains, for the space of a year. I feel in great hope that, with my aid, the Shawnee mission superintendent will be able to get back to his school twenty or more of the Delaware children.

The Delaware mill, which was built by the Methodist missionary board as a boon for their education fund for a term of years, is now a complete wreck. I have visited it, and recommended the chiefs to retain \$3000 of the money they received from the Wyandottes, which they did, for the purpose of rebuilding the mill: but whether they will expend it for the purpose is, I am fearful, uncertain. The tribe is anxious it should be rebuilt, as there is not a mill in the Indian country near, but the chiefs seem to feel indifferent.

The Delaware and Shawnee tribes are much annoyed, frequently, by emigrants and trains passing through their country, and not unfrequently persons of the State, by the loss of their horses and other stock, judging from the frequency of their urgent complaints to me since my short official life as their agent.

The two tribes are contiguous to the State, one separated by the Missouri river, and the other by a narrowed line, making it very accessible to the lands, particularly the Shawnees. I, therefore, can but suggest that the government should attend these tribes, as well as all others similarly situated, some more prompt remedy in regarding their lost property, as well as some remuneration for their losses. These two tribes inform me that their annual losses, for the last two years, is not less than fifty or sixty head of horses, besides many oxen and hogs killed: that is for both tribes, and they estimate the loss to be over three thousand dollars.

There is no fund set apart for the agents to use and expend in reclaiming for the Indians lost horses and other property. This one branch of expenditure, if effectually applied, for the recovery of stolen and lost property of the Indians, would amount to several hundred dollars per annum. If an Indian finds his horse in the State in possession of a white man, before he can regain his property he has to have recourse to a judicial investigation: counsel must be employed, and this often deters the Indian from prosecuting his claim; and for the want (as is often the case) of the means to prosecute his claim, sustains the loss. These tribes complain much; they say that, by treaty, they are to be protected in their property by the government: but as I have none of their treaties I mention this, that, if it is so, government would attend to the matter on being notified. In this particular complaint of the Indians I am convinced they sustain many losses, and do not complain without some cause.

I have had two councils with the Munsee Indians, or Christian Indians, and by some called the Moravian Christian Indians. I find them mostly, with all the advantages they have long had of missionaries, a rather dissolute, dissipated band. They number about one hundred and forty souls, including all those who call themselves Christian Indians. Some few of this band are quite good and intelligent men, but their number is few. I find them, on taking possession of this agency, on lands purchased by the Wyandottes from the Delawares, as is shown by the recent survey of the purchase, and thus they are without a home. I endeavored to persuade the Delawares to adopt them, as they are nearly all, more or less, connected by blood, but they were not willing to do so. The Delaware tribe then offered to give them a small tract of land, near the centre of their claim, to reside on whilst they behaved themselves well, until the government assigns them a home on lands of their own.

If this band of Munsees, or Christian Indians, is entitled to any land from the government by treaty, I would suggest the better plan would be to assign them their land at the earliest convenience. This, then, would settle their constant complaints.

Many of this band or tribe had made good farms and comfortable dwellings, which they must now surrender at discretion. This makes their case peculiarly hard one, and calls for the early interposition of the government. The misunderstanding with the Munsee Indians and the missionaries located among them, has been adverted to in a former communication.

The Stockbridge Indians, belonging to this agency, I find residing on the Delaware lands near Fort Leavenworth; they number about twenty-five. They are farming a little, and trading some. They are mostly educated people, and, like all other Indians, fond of liquor.

I think the Delawares are rather anxious that they should move to their own tribe on their own lands. The Delawares complain that, living as they do, so near the fort, they suffer too many loose, vagabond white men to stay about them. As this little band are dependent upon their Delaware friends, and not doing any good towards making a permanent home, I cannot but recommend that they should be located with the tribe of Stockbridges, wherever they are located.

The deaths of the Delaware, Shawnees, Munsees and Stockbridges, within the last two months have been by cholera about forty; by drunkenness and other diseases about thirty-two; at least such is my best information upon the subject.

Taking all the tribes of this agency together, they will raise grain and vegetables sufficient for their consumption, as the season has been good for all crops raised by them. Some of the Delawares, and a few Shawnees, follow the chase for their living, and therefore need but little grain.

All of which is most respectfully submitted by your obedient servant,

THOMAS MOSELY, Jr.,

Indian Agent for the Kansas Agency.

To Colonel D. D. MITCHELL,

Superintendent Indian Affairs, St. Louis, Missouri.

A.

SHAWNEE BAPTIST MISSION,

Indian Territory, August, 1851.

SIR: I resume my task, according to custom, at this season of the year, and in compliance with instructions received, of reporting to you the condition of this mission station, as heretofore, under the patronage of the American Baptist Mission Union.

We have some pleasure in noting the progress of events for the last twelve years; a portion of the moral darkness that then prevailed has passed away.

Some of this people have, measurably, arrived to the blessings of civilized life. This is noticed by the passing stranger even, who, as he journeys, observes with surprise the fields of corn, cattle, horses, neatness of arrangement in the construction of dwellings, and the various signs of comfort incident to civilized life; others are starting on a moderate scale, indicating at least a desire to improve and an abandonment of the chase. This becomes the more gratifying, considering the instinctive attachments of the native Indian to a wandering life.

The instrumentalities employed in our operations are, as we will mention:

1. The English boarding school.

In this department fifteen scholars have been sustained the past year; three of the old number have left the school; five new ones have been taken in. It is not of choice, but of necessity, that this department of labor is not more enlarged; we have as many scholars as our accommodations and means employed will justify us in receiving. It has been with deep regret that we have been obliged to refuse admittance to nearly fifty since the last fall. The scholars show themselves capable of receiving instruction, though in some cases it requires decided effort to secure their attention; they learn the various branches usually taught in primary schools. Four of them are yet in their alphabet and spelling lessons; the others can read understandingly the English language; they write, cipher in the simple rules, and acquire lessons in geography. Two only have advanced to the study of English grammar, philosophy and history.

I can hardly refrain bringing to notice one of the boys, about ten years of age. Such an unequalled adherence to truthfulness, and submission to the regulations of the institution, has never been manifested among us before, and seldom, we believe, in other places; and his genius seems equal to his application. Though but six months in the school, and but few

months in another school when about six years of age, he has advanced as far as is usual in three years. He shares in the exercise of declamation, and reads intelligibly the historical portions of Scripture. In the Sabbath school he sometimes repeats as many as fifteen verses of the writings of the Apostle Paul.

All the children are required to work; the boys upon the farm, and the girls in housewifery and needle-work. To secure this without giving offence is the hardest portion of our management, as they had much rather eat, drink, and amuse themselves, than be devoted to any useful employment.

2. Pastoral labors.

This is mentioned second in order, but not as least in importance; in short, it can easily be seen that the two are needful in combination. The more important instructions of the missionary upon the child are liable to be speedily counteracted by the pagan parents. This renders the improvement of such children less hopeful than the children of such parents as, from principle, second the efforts of the missionary; then again, the motive which actuates the surrender of the child is different; the pagan parent regarding, perchance, the support of the child merely; while the other, beyond this, is mindful of the actual improvement secured.

In this department we have enjoyed a good degree of prosperity. Several additions have been made to the church; the attendance on the chapel services, as also in the prayer meetings, among the Indians, has been more regular than in preceding years. A commendable interest has manifested itself also in the portions of Scripture and hymns, translated for the benefit of the adult population.

3. Medical department.

This has received a share of attention, rather as auxiliary to other labors, and from an instinctive desire on the part of the mission to relieve distress. A moderate charge is made among such as are sufficiently enlightened to justify it; while many, as yet, scarcely think it worth while to inquire after the cost of the medicines used, or the trouble occasioned in administering it.

In conclusion, we would, as ever, while we are thankful for the encouragement given to our labors by our government agents, bespeak even a greater interest in the prevention of the use of ardent spirits.

Very respectfully submitted.

FRANCIS BARKER,
Superintendent of the station.

Major THOMAS MOSELEY, Jr.,
United States agent, Kansas Agency.

FRIENDS' SHAWNEE LABOR SCHOOL,
8th month 14th, 1851.

RESPECTED FRIEND: In compliance with thy request, we send our annual report of the situation of Friends' Shawnee labor school, situated on the Shawnee reservation, about five miles west of Westport.

Since our report for 1850, there have been fifty-six Indian youth of both sexes, mostly Ojibwas, belonging to five tribes, who have received literary and religious instruction at this institution, with an average number in attendance of thirty-six.

Of the above number seventeen have been admitted the past year, most of whom had never been at school before, and thirteen have left the institution during the same time. Of those left, four have gone elsewhere to school, but the rest are living with their relatives; of those, four can read and write, and have some acquaintance with cyphering.

The number of each sex, tribe, age and attainments in books, and amount of labor performed, is much as follows:

Number of males	-	-	-	-	-	-	-	-	-	24
Number of females	-	-	-	-	-	-	-	-	-	2
Total	-	-	-	-	-	-	-	-	-	26

Between the age of 15 and 18	-	-	-	-	-	-	-	-	-	6
Do. do. 12 and 15	-	-	-	-	-	-	-	-	-	12
Do. do. 9 and 12	-	-	-	-	-	-	-	-	-	10
Do. do. 6 and 9	-	-	-	-	-	-	-	-	-	18
Total	-	-	-	-	-	-	-	-	-	56

Number of Shawnees	-	-	-	-	-	-	-	-	-	44
Do. Wyandottes	-	-	-	-	-	-	-	-	-	4
Do. Delawares	-	-	-	-	-	-	-	-	-	4
Do. Stockbridges	-	-	-	-	-	-	-	-	-	2
Do. Munsees	-	-	-	-	-	-	-	-	-	2
Do. Omahas	-	-	-	-	-	-	-	-	-	1
Total	-	-	-	-	-	-	-	-	-	56

Number that read McGuffey's reader and write a legible hand, and study arithmetic and geography	-	-	-	-	-	-	-	-	-	18
Number that read in second reader and write	-	-	-	-	-	-	-	-	-	8
Number that read in first reader	-	-	-	-	-	-	-	-	-	9
Number that spell easy lessons	-	-	-	-	-	-	-	-	-	14
Number that learn the alphabet	-	-	-	-	-	-	-	-	-	2
Total	-	-	-	-	-	-	-	-	-	56

Number that do not understand the English language	-	-	-	-	-	-	-	-	-	10
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There have been about four hundred articles of clothing made for the children, and fifty pieces, such as sheets, towels, &c., for house use: eighty pair of socks and stockings knit, and about one hundred pounds of wool spun and wove into linsey for girls' dresses and blankets, except what has been used in knitting: also forty yards of rag carpet woven; about eight hundred pounds of butter and six hundred pounds of cheese, two and a half barrels of soap made, and upwards of one hundred pounds of candles dipped.

In addition to the above labor performed by the Indian girls under tutors they take a share in the various other branches of house-keeping not brought to view, such as washing, cooking, house cleaning, &c. The domestic work of the girls is divided thus: that is, four milk and attend the dairy, four take charge of the chambers, four wash and iron, two do the cooking, and two attend the dining-room: and these are changed every two weeks, so

to give each an opportunity of being instructed in each branch of house-keeping.

The girls in the kitchen are released from other engagements, and the principal girl, who takes charge of the cooking, receives one dollar per week for her service whilst in that department, which is intended to supply herself with such clothing as the institution does not furnish. The girls that wash are released from the cook-room on washing days, but the other branches of labor are generally performed between the school hours.

The Indian boys have cut about one hundred cords of wood for the use of the family, and worked on the farm at such other work as they are capable of, and when taken out of the school-room to work on the farm they are paid wages agreeably to the amount of labor performed.

We have perhaps upwards of two hundred acres of land under fence, and the proceeds furnish the table and a surplus for sale of about four hundred dollars worth annually; but this amount of produce sold is not sufficient to meet the demands of the laborer in the cultivation of the soil.

We employ two farmers by the year, at one hundred and fifty dollars each, and frequently employ Indians by the month and by the day at higher wages than we could get laborers in Ohio and Indiana.

There are now employed on the farm James Stanton, Edward Teas, Calvin Cornatzer and Joseph D. Shane; the two former are members of the society of Friends; C. Cornatzer, a young man of steady habits; and Joseph D. Shane, an Indian youth, who has been raised at this institution, and thus far maintained a steady character.

Wilson Hobbs and Zelinda Hobbs, the former a teacher of books, the latter of sewing and knitting. Thirza Ainett, teacher of spinning and weaving and other domestic work. Thomas and Hannah Wells, superintendents.

The salaries of superintendents and teachers are estimated at three hundred dollars for a male and female, whether teacher of books or labor; and none are allowed the privilege of trading, by way of speculation, whilst in the employ of the institution.

All persons employed by the committee in charge for procuring laborers, have hitherto been members of the society of (orthodox) Friends; and a report of the general deportment, both of children and their teachers, is forwarded to said committee every three months, in answer to certain questions from the general committee:

"Do Friends endeavor, by example and precept, to discourage the unnecessary use of spirituous liquors, and the frequenting of taverns, grog-shops, and places of diversion, viz: gambling, horse-racing, wagering, &c.? And do they use their influence to discourage those vices among the Indians? Do they educate those children under their care consistent with our Christian profession, and is all unbecoming behaviour avoided?" &c.

The children are boarded and clothed without any aid from the Indians, save that the parents of these pupils furnish their clothing; and in addition to all the proceeds of the farm, the institution is supported at an expense of about fifteen hundred dollars annually: which sum is raised by a proportionment among the members of the three yearly meetings which have this institution under charge, that is, Baltimore furnishes from one to two hundred dollars, Ohio from three to four hundred dollars, and Indiana one thousand.

The improvement of the farm and the buildings has been raised mostly by the liberality of Friends of other yearly meetings.

Friends have been laboring among the Ohio Shawnees about fifty years, and it hath uniformly been their practice, whilst instructing the Indians in the use of tools and civilized habits, to teach them the benign principles of the gospel. * * * *

There is another subject closely connected with the peace and prosperity of the Shawnee nation, which we feel our duty to bring to view ; that is, the general expectation among the white people through this section that the eastern portion of the Shawnee reservation will be for sale in a few years.

The Shawnees have frequently called upon us to inquire whether we believe that the government of the United States had such a thing in contemplation. That, could the Shawnees receive an assurance from the proper department of government that they did not countenance such practices and schemes of the white people, whether living in the territory or on the line, it would tend greatly to quiet the disturbed minds of the Indians through this section, and encourage them to look forward for happier days, which the government of the United States much desire may attend the poor Indian.

I have brought the internal operations of this institution and the disturbed situation of the Shawnees into view, on the principles of Christian duty, and in compliance with the object of our annual reports to the department of Indian affairs ; and perhaps it may be allowable for me further to say, that from our experience in labor-schools among the Indians, and daily observation of kindred institutions, that small schools are calculated to accomplish the object of training the Indian youth in habits of industry better than larger ones, as they need more care and attention than white children ; and the fireside training, which is so essential in the training of the youthful mind, cannot be given in large collections.

Thy friend, &c.,

THOMAS WELLS,

Superintendent.

THOMAS McELEY, Jr.

C.

Statement No. 1, showing the condition of Fort Leavenworth Indian manual labor school for the current year ending September 30, 1851.

MALE DEPARTMENT.

Teachers: A. Conetzer, T. Huffaker, W. Luke, S. Huffaker.

Names.	Age.	Tribe.	Entered.	Studies.
Levi Flint.....	17	Shawnee	Nov., 1842	} Latin, English grammar, geography, arithmetic, philosophy, penmanship, declamation, &c.
Robert Armstrong..	14	Wyandot	Sept., 1850	
Henry Garrett	16	....do.....	....do.....
Lazarus Flint	15	Shawnee	Aug., 1842	
Melroy Dougherty..	15	....do.....	Nov., 1848
John Paschal.....	16	Peoria	Jan., 1841	} Grammar, arithmetic, geography, reading, writing, spelling, declamation, &c.
John Mann	14	Pottawatomie .....	....do.....
Thaxter Reed	13	Ottawa	Mar., 1849	
Alfreds Herr.....	15	....do.....	Sept., 1849
William Fish	14	Shawnee	May, 1849	
John Anderson	15	Pottawatomie	Sept., 1848	
Robert W. Robtalle	11	Wyandot	Nov., 1849	
John Flint.....	10	Shawnee	July, 1848	
Stephen Bluejacket.	13	....do.....	June, 1847
Moses Pooler	12	Ottawa	Mar., 1849	
Francis Pooler.....	11do.....do.....	} Arithmetic, reading, spelling, writing and declamation.
Samuel Peck.....	12	....do.....	....do.....
Robert Merrill	12	....do.....	....do.....
Ephraim Robbins ..	11	....do.....	....do.....
James Hicks	15	Wyandot	April, 1851	
William Barnet	15	Shawnee .....	....do.....
Jacob Whitecrow ..	15	Wyandot	Mar., 1851	
Peter Anderson	12	Pottawatomie	Oct., 1848	
Peter Mann	13	....do.....	Jan., 1848
Peter Sharlow	13	Wyandot	Mar., 1851	
Robert Bluejacket..	12	Shawnee	Sept., 1849	} From the alphabet to reading, spelling and writing.
Thomas Bluejacket.	10	....do.....	June, 1847
Cassius Barnet.....	14	....do.....	Mar., 1849
Samuel Flint	12	....do.....	May, 1851
Levi Hays	17	....do.....	July, 1850
William Flint.....	15	....do.....	April, 1851
George Sharlow	15	Wyandot .....	....do.....
Amos Carryhoo	15	....do.....	....do.....
Thomas Huffaker ..	10	....do.....	....do.....
Eldridge Brown.....	7	....do.....	....do.....
John Solomon, 1st.	17do.....do.....	
George Big River..	12	....do.....	Oct., 1850
Henry Lagotrie	11	Pottawatomie	April, 1850	
John Solomon, 2d..	6	Wyandot .....	....do.....
Francis Whitedeer.	9	Shawnee	June, 1850	
James Beltrice	13	....do.....	Sept., 1848
William Deskin	8	....do.....	June, 1850
Robert Sergket	16	....do.....	....do.....
Nathan Searritt	12	....do.....	Mar., 1849
Edward Searritt.....	10	....do.....	....do.....
John Charles	16	Wyandot	Oct., 1850	
John Coon	16	....do.....	....do.....
Charles Barnet	9	Shawnee	Feb., 1850	
Job Richardson	7	Ottawa	Oct., 1850	
George Williams	16	Wyandot .....	....do.....
Isaac Frost	20	....do.....	Jan., 1851
Albert Solomon	11	....do.....	Mar., 1851
George Luke.....	12	Delaware	Oct., 1850	

STATEMENT—Continued.

FEMALE DEPARTMENT.

Teachers, Mrs. M. T. Peery and A. E. Chick.

Names.	Age.	Tel.	Entered.	Studies.
Stella A. Harvey...	12	Ottawa.....	Sept., 1846	Grammar, arithmetic, geography, reading, writing and needle-work.
Sally Bluejacket, 1st...	15	Shawnee.....	Feb., 1849	
Mary A. Anderson...	11	Pottawatomie...	Oct., 1848	
Elizabeth Johnson...	15	Shawnee.....	May, 1847	
LEmily Bluejacket...	12	do.....	June, 1844	
Sophia Green.....	11	Ottawa.....	Oct., 1847	
Susan Bluejacket...	10	Shawnee.....	Mar., 1849	
Hannah Wells.....	13	do.....	Dec., 1847	
Rosalie Robetaille...	10	Wyandot.....	Jan., 1851	
Margaret Peery....	13	Delaware.....	Aug., 1844	
Sarah Driver.....	15	Wyandot.....	Feb., 1851	Arithmetic, geography, reading, writing and needle-work.
Sally Bluejacket, 2d...	8	Shawnee.....	Mar., 1849	
Cathy P. Searritt....	8	do.....	Oct., 1848	
Catharine Donaldson	10	do.....	do.....	
Rebecca Donaldson..	7	do.....	do.....	
Nancy Green.....	11	Ottawa.....	Oct., 1849	
Susan Wolfe.....	11	do.....	April, 1849	
Elizabeth Robbins...	10	do.....	do.....	
Leah S. Sligget....	15	Delaware.....	July, 1850	
Sarah Sarahas.....	13	Wyandot.....	Sept., 1850	
Elizabeth Robetaille	7	do.....	do.....	From the alphabet to reading, spelling and needle-work.
Mary A. Wolfe.....	16	Ottawa.....	April, 1851	
Elen Miller.....	7	do.....	July, 1850	
Eleanor Richardson	6	do.....	do.....	
Sarah Armstrong...	12	Wyandot.....	do.....	
Elihu Armstrong...	10	do.....	do.....	
Mary Armstrong...	8	do.....	do.....	
Mary Solomon.....	8	do.....	Sept., 1850	
Susan Buck.....	10	do.....	Feb., 1851	
Frances Williams...	14	do.....	Sept., 1850	
Sarah Sharlow.....	6	do.....	Mar., 1851	From the alphabet to reading, spelling and needle-work.
Phoneme Lagottrie...	9	McHawk.....	do.....	
Rosalie Lagottrie...	6	do.....	do.....	
Sarah Driver.....	14	Wyandot.....	April, 1851	
Eliu Dougherty....	8	Shawnee.....	Oct., 1849	
Mary Hill.....	9	Wyandot.....	Oct., 1850	
Sarah H.R.....	11	do.....	do.....	
Emma Williams....	12	do.....	do.....	
Mary Williams....	16	do.....	do.....	
Sally Bluejacket, 3d	6	Shawnee.....	Sept., 1850	
Mary L. Searritt...	6	do.....	May, 1849	
Aunt Searritt.....	4	do.....	Sept., 1850	
Nancy Barnett.....	6	do.....	May, 1849	
Mary J. Owens.....	10	do.....	Sept., 1850	
Caty Whitdeer....	7	do.....	July, 1850	
Mary E. Ward.....	7	Peoria.....	Sept., 1849	
Susan Miller.....	13	Ottawa.....	April, 1849	

Total number in the female department..... 47

Total number in the male department..... 53

D.

DELAWARE, NEBRASKA TERRITORY,

August 15, 1851.

SIR: In compliance with your request, I beg leave to present the following report of the institution at this place.

The mission is under the direction of the American Baptist Mission Union, and was re-organized and the present buildings erected in 1847.

The buildings consist of a principal dwelling-house thirty-six feet square, a frame building, with kitchen and usual small out-buildings, a school and meeting-house.

Connected with the establishment, and for its benefit, are a field and garden lot, in all about twenty-two acres, under cultivation. This is attended by the labor of Indians, whenever their help can be obtained, aided by the boys of the school, at such hours as will not interfere with the instructions they are receiving in letters.

There are in the connection four female assistants and the subscriber. Miss Elizabeth S. Morse has been the efficient teacher ever since the commencement of the school, and to whom the children are indebted for a very encouraging state of advancement. Of the children in attendance, twenty-five in number, all are Delawares, with a single exception; one is of the Stockbridge tribe. There have been, during the summer term, eight boys and seventeen girls in attendance, and have pursued studies about as follows:

A class in mental arithmetic.

Do. written arithmetic.

Do. modern geography.

Do. elements of astronomy.

Classes are attending to reading and spelling, who use McGuffey's first and second readers; a class of four in the primer; sixteen are writing a fair hand, and, as an exercise, are required to give in specimens of composition on set days. All are very fond of singing, and daily engage in that pleasing employment.

To the above, the girls receive attention in plain and ornamental needlework. The older girls are able, with oversight, to make their own and the boys' clothing.

Two of these children, while at school, are clothed by their parents, the remainder by the mission, as also all boarded.

The children on the Sabbath attend the Sabbath school, committing and reciting portions of Scripture, hymns, sentences, &c., and are examined as to the extent of their understanding of the same. They are also regularly on the Sabbath in attendance on public service at the meeting-house. We fully believe the capacity of these children to be of a high order, though not better than others, could they be brought under proper discipline and training. Advances are made fully equal to that of any similar schools in the States.

There is certainly, in many cases, a sprightliness and aptitude of a most promising character. It is a matter of regret that more of the Delaware children are not receiving the benefit of education, as there is, on the part of so many parents, a disposition to place them under the care of guardian teachers.

Our number is limited for want of means to take more. If at stated

seasons a class of young men and women could respectably graduate and settle among the older inhabitants, the example of improved tastes and habits would, sooner or later, have an influence to elevate the mass, until all shall be made partakers of the comforts of civilized life and domestic happiness.

I remain, very respectfully, your obedient servant.

JOHN G. PRATT, *Superintendent.*

Major THOMAS MOSELEY, Jr.,

U. S. Indian Agent, Kansas Agency.

No. 13.

OSAGE RIVER AGENCY, *September 4, 1851.*

SIR: The time which has elapsed since I entered upon the duties of my agency has been so brief as to furnish few materials for a detailed report.

I found the tribes which were assigned to my charge in the enjoyment of health, quietness, and in a good degree of the comforts suited to their semi-civilized condition. That they are greatly in advance of the wild untutored savage, some of whom are in close proximity, and with whom they contrast most favorably, is undeniably true.

They have substituted the log cabin for the bark lodge; they have abandoned the chase, as a means of subsistence; have become, to some extent, tillers of the soil, and this season will make corn enough to bread them. They are now engaged in sowing their wheat, and cutting and taking off their hay, of which their fertile prairies furnish ample store; and, were it not for the vicinity of the whiskey shops that are planted along the State border, for the purpose of entrapping and swindling the ignorant Indian out of all his little property, I should look confidently for an early and thorough abandonment of all his vagrant and savage habits.

The Weas, Piankeshaws, Peorias and Kaskaskins, may, with propriety, be considered as one tribe, residing upon the same territory, in language and habits the same; in constant and social intercourse, with frequent intermarriages and adoptions, the distinctive characteristics, if any ever existed, have disappeared, and they should for the future be regarded as one people.

Their advances in the arts of civilization are marked, and most gratifying to the philanthropist. With very few exceptions, they have recently signed a pledge to abstain from intoxicating drinks for twelve months, and among the Miamies are flattering indications of similar reform.

Much credit is due in this work of benevolence and improvement to my interpreter, Battice Peoria, who, being identified with them, and enjoying their confidence, exerts a decided and fortunately a beneficent influence. If a small amount of gratuity could be distributed among these people annually, by way of premium upon their success in agriculture or mechanics, I am convinced that the effect would be most favorable. It should be in the shape of farming implements, such as ploughs, cradles and scythes, or tools to the mechanics, and should be awarded only to the sober and industrious.

I make the suggestion, growing out of my conviction that a small sum, say two to three hundred dollars, could not be expended among them more beneficially or with a surer prospect of good results.

The mission and school located among the Weas, the former in charge of Rev. D. Lykins, and the latter conducted by Miss Osgood, are, as heretofore, exerting a most benign influence upon the inhabitants around them. Preaching on the Sabbath is usually attended by respectable congregations, who evince by their orderly and respectful deportment a proper appreciation of the importance and sanctity of the occasion.

The school is, I learn, attended regularly by from thirty to thirty-five youths: and since I came into the country I have had frequent opportunities to observe the management and acquaint myself somewhat with the progress of the pupils; and it gives me much pleasure to state, that I am most favorably impressed with the advantages likely to result from this institution. The religious and literary instruction which are here imparted to the youth, the moral and mental training which they receive, while it prepares them for usefulness, must exert an influence for good on all connected with them.

Many of them have made respectable progress in their studies, and all, by their neatness of person and dress, and courteous demeanor, give proofs of the watchfulness and care bestowed upon them by their most worthy teachers.

I consider this institution as well deserving the aid and patronage of the government, and as such commend it to your favorable consideration. For further details in regard to the school I refer you to the accompanying statement, furnished by Rev. Mr. Lykins.

The Miamies evince a strong desire to have a school established among them, and I know no reason why their wishes may not be gratified. A fund sufficient for this purpose is secured to them by treaty, and appropriated by Congress; and if no religious denomination is willing to take charge of it, why may not teachers be employed, to be paid out of this fund?

Buildings, which can be made comfortable with slight repairs, are ready to be occupied in that way, and I hope some steps may be taken by which their youth may enjoy the advantages intended for them by this beneficent appropriation.

The weakness of these tribes and their paucity of numbers subject them to frequent predatory visits from their more savage and less provident neighbors, the Sacs and Osages. Indeed, to such an extent have been their losses from this cause, as almost to deter them from any effort to raise stock: their hogs are killed and eaten, their cattle are driven off, and their horses stolen. These wrongs have been borne by them, if not with patience, at least with commendable forbearance. The protection guaranteed to them by the United States has hitherto proved ineffectual, and must continue so, as I believe, under the present system of polity in the Indian territory, until the rights of property, the distinctions of *meum* and *tuum*, are recognised; until the restraining influence of our own laws shall be felt and acknowledged; until the wrongdoer himself can be made to feel the punishment due to his misdeeds, it will be vain to expect that reform, morally or physically, so much desired by our government.

Under this system for every wrong done, reparation is sought, if sought at all, from the tribe to which the wrongdoer belongs; thus the innocent suffer equally with the guilty. The distinctions between vice and virtue, crime and innocence, are not recognised. Incentives to honest industry and pride of character are wanting; and so long as this state of things shall exist, the efforts of the missionary, the school teacher and government

officer must fail to accomplish the object at which all are professedly aiming.

To remedy those evils, doubtless the most effective plan would be to concentrate within narrower limits all the tribes between whom and our government there are subsisting treaties, more especially those south of the Missouri and Platte rivers, and north of the Cherokee boundary. These number in all not exceeding *fifteen thousand*, diffused over a territory of not less than ten thousand square miles—a population less than is contained in some of the border counties in the State of Missouri of twenty-five miles square. Let the country assigned to them be meted and parcelled out to them, securing to each family in fee simple one hundred and sixty acres of land, guarantying peaceable and uninterrupted possession; stopping the white man from acquiring title by purchase and otherwise, without the consent of the President; extend over them the criminal laws of the country, and recognise and enforce personal rights, to the extent of securing to every one the undisturbed enjoyment of his own property, with power to enforce the collection of debts, and institute among them tribunals for the adjudication and enforcement of their rights.

All the information that I have been able to gather in regard to their dispositions in reference to this or any similar mode of government, (for I learn that it has been mooted among them for some time,) and my own observation and intercourse satisfy me that some plan of this sort, executed and carried out in good faith, would meet with the ready and hearty acquiescence of all those tribes that have made any advances to civilization.

Beside the good consequences resulting to the Indian, it would throw open to the occupancy of the white man a large extent of fertile country, justly esteemed as among the richest and most beautiful portions of the west.

The nature of this report necessarily precludes all detail in the plan suggested, but of its entire practicability and ultimate good consequences I entertain no doubt.

I herewith submit estimates for the following items, required by treaty to be furnished to the Miamies annually:

Iron, steel, &c., for shop.			
Treaty of 1818, article 5	-	\$110	Former estimate -
1000 lbs. tobacco, 2000 lbs. iron,			
1000 lbs. steel.			
Treaty 1826, article 4	-	570	Former estimate -
160 bushels salt.			
Treaty 1818, article 5	-	120	Former estimate -
		<u>\$800</u>	<u>\$1,310</u>

These sums will be ample, as you will see by the purchases which I have made this year.

The persons in the employment of the government within my agency are: for Miamies, Robert Semmerwell, blacksmith; James Chenault, miller; Luther Paschall, striker; Battiste Peoria, interpreter.

Very respectfully,

A. M. COFFEE, *Indian Agent.*

To Col. D. D. MITCHELL,
Superintendent, &c.

No. 14.

WEA AND PIANKESHAW SCHOOL,
Osage river agency, September 3, 1851.

DEAR SIR: In making out the annual report of our mission station and school, it is a source of no small gratification that we are permitted to do so to one who so fully appreciates the advantages of such institutions as yourself; and permit me to say, that the deep and enlightened interest which you have evinced in the improvement of the people of our charge has served much to encourage us in our work.

When we contrast the present with the past condition of this people, we have good reason, I think, to hope for their advancement and prosperity in the future. As to their habits, attendance on religious worship and general deportment it is needless for me to speak, for these things have come under your immediate observation. It has long been the opinion of many that the ultimate destiny of the Indian race would be entire extinction; and such will doubtless be the case, unless the religion, and some part, at least, of the laws and civilization of the white man be brought to bear upon them.

The advancing waves of civilization have driven them already far towards the setting sun, and now they have but one alternative—to improve or perish.

We designed to conduct this school on the manual-labor plan, but hitherto, owing to a lack of means and the necessary assistance, as much time has not been devoted to labor as we desired; but we now hope to accomplish this part of the matter soon.

The following report of Miss S. A. Osgood, principal teacher of the school, will show its condition:

In reporting to you the condition of this school I would say, that the progress of my pupils during the last year equals, if it does not exceed, that of any previous year. Though there may have been a slight diminution of number, the attendance averaged has been quite regular; and, while those more advanced find much pleasure in study, their deportment would gain the approval of rigid preceptors.

Enrolled are twenty-three boys and thirteen girls—average thirty.

During the year one of our boys, a favorite with all, died; and his peaceful death affords abundant encouragement for renewed and persevering effort in educating the Indian race. To him religion illumed the pathway to the grave; and, while he yielded calmly to the mandate of death, he spoke to aged chiefs of the "better land;" and, with hopes centered only in the death and sufferings of the world's Redeemer, he passed away in all the loveliness of early youth, walking in paths of peace. Another, a little girl, died at home during the present vacation.

Division of Classes.—Fourth reader, also in geography, arithmetic and writing neatly, six; third reader, eight; second reader, six; first reader, ten.

In English grammar two are progressing well, and a class of four are much interested in a juvenile work on natural philosophy.

The female department of labor is increasingly interesting. The facility with which our small girls ply their needles, both in making clothes and in fancy work, is surprising to all, when for the first time they witness their performance.

For the future I anticipate greater results in prospect of increased comforts, in the repair of buildings, and also from the excellent influence of the very worthy agent of our people. They have long needed and will listen to advice in regard to their children.

In conclusion, permit me to express the hope that, sustained by your influence, and aided by your labors in behalf of the Indians of your agency, the future may be as bright and encouraging for schools, as much of the past has been dark and trying.

With sincere respect, your obedient servant,

DAVID LYKINS,
Superintendent school, &c.

Col. A. M. COFFEY,
United States Agent.

No. 15.

COUNCIL BLUFF'S AGENCY,
October 1, 1851.

SIR: Owing to the continued indisposition of myself and family, I shall only be able to submit a very brief and condensed report. I shall, however, avail myself of the first opportunity, as soon as I shall have recovered from my sickness, to present to the consideration of the department a few facts, which, I hope, will be of some interest and importance.

During the past year the Indians under my supervision, viz: Ottoes and Missouris, Omahas and Pawnees, have lived on terms of peace and good will; and no event has transpired calculated to mar the friendship and good feeling which exist among them.

These nations, mere remnants of once powerful tribes, are becoming a poor and wretched people: surrounded by inveterate enemies, with no amities, they depend chiefly upon a hunt which yields them but a poor return for subsistence. Fortunately, this year their fields have brought them a bountiful supply of corn, pumpkins, &c., but this will hardly be more than sufficient for them to live on during the winter, should game be scarce, which is more than probable; they must in consequence suffer a great deal during the spring. The situation of these poor Indians calls loudly upon the sympathies and liberality of the government. What is to become of them in a few years is a matter of sorrowful conjecture.

They are exceedingly anxious to be removed, and to dispose of their lands: and it is to be hoped that the attention of Congress will be called to their aid as early in the approaching session as practicable, that new treaties may be formed, or their old ones renewed.

All the lands inhabited by the Ottoes and Missouris and Omahas, extending from the mouth of the "Big Nemahaw" up the Missouri, about two hundred and fifty miles, can be purchased for a very small annual payment in cash or goods. By the addition of a part of the Pawnee lands a territory could be formed, which, for agricultural purposes, would rival any of the rich lands of Missouri and Iowa. Coal has already been obtained on the Missouri, and I am satisfied abundant supplies can be had on the stream, to say nothing of the mines which can be found on the river Nebraska or Platte.

The near proximity of these Indians to the whites, and their constant communication, render it difficult for them to live in peace; while, on the other hand, it is highly injurious to the welfare of the Indians themselves.

Bad white men, who reside on the banks of the river for that purpose, keep up a continued traffic in whiskey with them; and from this cause alone, many depredations are committed upon the property of innocent men. So great is the influence of the whiskey seller over an Indian, that it is but seldom that any depredations are committed upon them, their neighbors at all times being the sufferers.

I succeeded some days since in arresting three men who have been engaged in this nefarious traffic for some time. They were bold enough to carry their "stock in trade" into the very midst of the Ottoe village, and there dealt it out "in sums to suit purchasers." The arrest of these men, although I fear their just punishment will not be awarded to them, will prove an example which not only themselves, but others, will profit by. The habeas corpus act stands out in too bold relief for men of this character to be brought to justice, particularly in new countries, where the law is so ignorantly, and sometimes so faithlessly, administered.

Our smith shops have done their usual variety of work, and are of great benefit to the Indians. The Pawnees, by expiration of their treaty, are left without any smiths; this they feel very sensibly, and think their lot a hard one. I am in hopes, when their necessities are understood by the department, that they will see cause to have them reinstated.

The complaints of these Indians against the large emigration through their country are becoming very general, and I think some compensation justly due them for the injuries which consequently accrue. A small annuity given them for this purpose would satisfy them, and prevent many robberies from being committed upon those of our people who journey to California and Oregon.

The small-pox has made some ravages upon the Ottoes and Omahas, and great fears are entertained that it may be communicated to the white inhabitants along the frontiers of Missouri and Iowa. Dr. Sykes, a physician of some celebrity, at the request of many persons who live contiguous to these Indians, has agreed to vaccinate the whole of them, and look to the liberality of the government for remuneration for his services. This step I consider of vital importance, and under the circumstances I could not hesitate to give my approval. He is at this time engaged in vaccinating, and it is to be hoped that this loathesome and infectious disease may be arrested before it makes its inroads into the States.

The Pawnee school having ceased by the limitation of their treaty, I have turned over what few children were on hand to the Rev. E. McKinney, of the Ottoe and Omaha mission, who kindly consented to take charge of them.

I would respectfully refer you to the accompanying reports of Mr. McKinney and Mr. Allis, (late Pawnee teacher.) On account of severe illness in the family of the former gentleman, it is not as full as it otherwise would have been.

I have the honor to remain, very truly, your obedient servant,

JOHN E. BARROW,

Indian Agent.

To Col. D. D. MITCHELL,

Superintendent Indian Affairs, St. Louis, Mo.

No. 16.

OTTOE AND OMAHA MISSION,
October 3, 1851.

DEAR SIR: The mission and school under my care have been in regular operation during the last year; but owing to the difficulty in procuring the requisite amount of missionary assistance, our labors have been mainly restricted to the care of the boarding-school.

This school, you are aware, is supported mainly by the benevolence of the Presbyterian church, at an annual expense of about thirty-five hundred dollars. Of this sum, five hundred dollars have been received from the United States Indian Department on account of the Ottoes and Missouris, and three hundred dollars as a gratuity in favor of the Omahas, from the fund for the civilization of the Indians.

It was designed that direct missionary labors among the Indians should have been constantly sustained, as well as a school for the education of Indian youth. To do the former requires a force at the mission sufficient to enable the resident clergyman to devote the greater part of his time to this object. For the reason mentioned, this could not be done. Still, regular religious services at the mission have been maintained, both for the children of the school and the adults of the neighborhood; and during the year, a small church has been organized, embracing such white persons as had been previously professors of religion.

The following table exhibits the number of children who have been in school during the year, and the number now there:

Ottoes,	whole number of boys	7
Omahas,	do. do.	9
Pawnees,	do. do.	9
Puncas,	do. do.	1
Total number of boys		— 26

Ottoes,	whole number of girls	5
Omahas,	do. do.	7
Pawnees,	do. do.	7
Puncas,	do. do.	2
Total number of girls		— 21

Total number of boys and girls — 47

Ottoes,	boys in school	2
Omahas,	do. do.	9
Pawnees,	do. do.	7
Puncas,	do. do.	1
Total number of boys in school		— 19

Ottoes,	girls in school	2
Omahas,	do. do.	6
Pawnees,	do. do.	7
Puncas,	do. do.	2
Total number of girls in school		— 17

Total number of boys and girls in school — 36

Of those now in school seventeen are half-breeds, who were reckoned as belonging to the tribes with which they are related. The highest studies pursued by any of these children have been the elements of geography and arithmetic. A respectable proportion of them are able to read, so as to use English hymn books at our religious services, and quite a number can write a legible hand. Four of the largest boys, with some assistance, made and cultivated an acre each of corn and potatoes during the present season, and of part of the produce they have been robbed already by their heathen relatives, as a reward for their industry.

Two of the boys worked alternately as strikers in a small blacksmith shop connected with the mission, for two months; and all of them, as opportunity was afforded, have been exercised in the labors of the farm, according to their ability.

The girls, when out of school, have been employed in household labors and sewing. Their proficiency in these useful arts has been such that the influence of their labors in lightening the burdens of the family is beginning to be felt.

In the latter part of June, the small-pox broke out among our children. This visitation threw us very much into disorder; sixteen cases, most of them very light, occurred, but happily none of them proved fatal. Early in September our community was visited in a very unusual manner with fever and ague. Nearly every member of our family has been attacked, and some of us have suffered severely. One Omaha boy, an interesting little fellow of about ten years of age, died on the first instant; about one-third of our number are still sick.

As soon as practicable, it is our design to settle our grown-up scholars in a village contiguous to, and under the control of the mission. This would have been partly carried into effect this fall, had it not been for the unusual prevalence of disease.

On the whole, our labor is interesting and promising, though carried on under discouragements and trials sorely afflictive; yet, if we are granted by the Giver of all Good sufficient health and strength, we are disposed to go on with it. It is a work which calls for time and patience; but yet its ultimate success, with the proper and persevering use of the means, is certain, being based, not only on the natural order of things, but also on the positive promise of God.

Respectfully yours, &c.,

EDMUND M'KINNEY

Major J. E. BARROW,
Council Bluffs agency.

No. 17.

BELLEVUE, COUNCIL BLUFFS AGENCY,

October 2, 1851.

SIR: The number of Pawnee children under my charge the past year has been from twelve to sixteen. Their studies have been reading and writing; three have studied geography; some instruction has also been given in arithmetic. They have made good progress, considering what we have had to encounter.

You will recollect, sir, in July, 1849, you condemned, and justly so, the house we now occupy as not fit to live in, and urged me to build another, and went so far as to draw a plan on paper. Accordingly, I purchased house-logs to the amount of twenty-two dollars and fifty cents, which has been to me almost an entire failure and loss. Not having sufficient encouragement from government, you gave up the plan of building: since that time we have resided or *stopped* in the same *old shell*.

During thirty months past, one white and two Indian women, and seven of the children belonging to the school, have died. Although many others of us have been sick, and some brought very low by sickness, we have great reason to be thankful to the great Preserver of Life that we have been so favorably spared, and kept by the kindness of God through dangers seen and unseen.

The school for two years past has undergone many changes, which have operated greatly against its progress: some fourteen children have left, and been taken away by their parents and friends, and about as many new ones come into the school, which has greatly retarded the progress of the school; but enough has been done to convince me that they are capable of great improvement in learning had they the advantages necessary. There are but four of the children of the former number that now remain. Much has been done by our government and missionaries for eighteen years past, but I regret to say, with but little benefit. Owing to hostile tribes and other obstacles, our hopes have not been realized; but I still consider the Pawnees an interesting tribe, capable of great improvement, could they be protected from their enemies, and brought under proper subjection themselves.

During the past summer we have been under the necessity of working hard at nights to secure our beds and clothing from the rain: and, after the best we could do, sixty dollars would not make good our loss, besides the exposure of health. The school has been interrupted during the past summer about two days in a week.

One of the Indian girls has taught the school most of the time for six months past, with the assistance of Mrs. Allis. My reason for putting the Indian girl to assist in teaching was, I would not ask any person to come to such a place as we occupied. With credit to the Indian girl, I can say, she has kept good order, and the children have made good progress under her instruction.

We have great reason to be thankful that we have been so highly favored, and protected from sickness and danger the past year, while occupying the old rotten fabric. No money would hire me to occupy such a place as we have for two years past, with a family of twenty or more persons.

I now close my situation as teacher, according to order, regretting that so little has been done for their benefit, while I am gratified that Mr. McKenney, of the Ottoe and Omaha mission, has consented to take the children to prevent their going back to their people, which would rather render their condition worse than if they had never been taught. I hope they may be kept at the Ottoe and Omaha mission until the Moravian mission, now in contemplation, will be established, or some others in their own country; that some, at least, of 1,200 children under twelve years of age, may be taught to read, write, and cultivate the soil, and more especially the true principles of the religion of Jesus Christ and *his gospel*, without which they cannot be truly happy in this or the world to come.

In compliance with your request, and the requisition of the Indian department, I submit the above.

Respectfully, yours, &c.,

SAMUEL ALLIS.

Major J. E. BARROW.

No. 18.

GREAT NEMAHAW AGENCY,

September 26, 1851,

SIR: I have the honor of submitting a brief report of the condition of the Indians of this agency, which are the Iowas, Sacs and Foxes of Missouri, and Kickapoos.

The Iowas have succeeded, this year, in making a larger crop of corn than usual, partly owing perhaps to the propitious season, but much more, in my opinion, to the fact that they meet with a ready sale for all their surplus corn to the emigrants and to traders among the Sioux and other wild tribes. The Sacs and Foxes and Kickapoos have also abundant crops; indeed the latter are a thriving and prosperous people, and some of their farms would not suffer in a comparison with a majority of their white neighbors.

The Sacs and Foxes suffered very severely in the early part of the spring with the small-pox. About one-fifth of the tribe were carried off by it before proper relief was obtained. A thorough vaccination of the whole tribe effectually checked it among the Sacs and Foxes, and prevented its spread among the Iowas, but for which I am well satisfied that one-half of the latter tribe would have been swept away.

The prompt remittance of a sum to defray the expense of vaccination was an act at once humane and charitable, which I feel assured will not be speedily forgotten by these people. The Kickapoos had the good fortune to escape this pestilence entirely, although it has spread to nearly all the neighboring tribes.

The manual-labor boarding-school among the Iowas maintains its usual prosperity. I respectfully refer you to the report from the gentlemen so long and honorably identified with the school, for particulars in regard to it, which you will find enclosed. The untiring energy with which these gentlemen have labored in the missionary cause among these people entitles them to success, and if human means are equal to the task, they will succeed in reclaiming the rising generation from a course that would undoubtedly lead to their extinction.

Many of the adult portion of this tribe are habitual drunkards, and their proximity to the whites renders it impossible to prevent, at all times, the introduction of liquor into their country; and indeed, when by general consent the tribe makes an effort to prevent its introduction, (as they frequently do,) those who *will drink* have only to cross the river, where they can indulge to their hearts' content, so long as they are in possession of a *tattered blanket* to exchange with the vagabonds who hang upon their steps.

There are within this agency two bands of Winnebagoes, containing, in the aggregate, about three hundred souls, whose destitute and forlorn condition appears to me to merit the attention of the department. The principal band is located near the mouth of the Great Nemahaw river, on the lands of the Iowas, with whom many of them are intermarried. They

suffered much from the small-pox last spring, and latterly from other diseases. I am informed that they have made good crops of corn this season and are now in a fare way of bettering their condition, if permitted to retain their location. They have very often solicited me to obtain for them a portion of the annuity due to their nation, and urge, as a reason for their leaving their lands in the north, the severity of the climate, the barrenness of their lands, the scarcity of game, and particularly their friendship for the Iowas, to whom they seem much attached. The latter tribe has at several payments desired me to enroll and pay the Winnebagoes among them as if they were their own people: but I have refused thus far, from a belief that it was the design of the department to return them to their own country; besides, I did not consider it just to the Iowas. I beg leave respectfully to suggest that sound policy, no less than humanity, require that these people be permitted to locate somewhere south of the Missouri river, and that their proportion of annuity due to said tribe of Winnebagoes be paid to them through the officer under whose control they may be placed. I am satisfied they will intermarry and soon become permanently identified with the Iowas, if permitted to reside on their lands, as they desire.

The Sacs and Foxes of Missouri are well provided for, having raised a good crop of their own, in addition to which a considerable crop of wheat from the pattern farm was distributed among them. They have a good mill, which is of considerable advantage to them, making all the flour and meal they need. I venture the assertion there are no Indians on the frontier whose wants are so well provided for. I have heretofore given my views at length upon the propriety of purchasing the lands of these tribes, or part of them at least, and locating them somewhere south of Kansas river, on some small tracts of land, where they would not be so often brought in contact with emigrants and other white persons, who threaten their country. They are laboring under a well grounded impression that they cannot long retain their present location, which from its fertility and contiguity to the Missouri river, *they know* must soon yield to the enterprise of the white man. Judging the future by the past, the conclusion is inevitable, that they cannot long retain their country; and if this be certain, why not deal with them at once, and put them where they can have some assurance of remaining.

I have been informed that the semi-annual payments will be discontinued after the present fall payment, and that payments will hereafter be made annually. With due deference to the opinions of those who have adopted this plan, I beg leave to differ entirely as it regards the benefits to the Indians. I think semi-annual payments, made in the spring and fall, are decidedly preferable in many respects: 1st. The credits extended to the Indians by the traders are for a shorter time, and it is but natural that goods should be sold lower. 2d. The spring of the year is universally known to be the hardest season on the Indian; game is then scarce and poor; their corn generally scarce, if not entirely consumed; and lastly, paying large sums to an Indian at any one time, is of no advantage to him; after he is dressed and his immediate wants attended to, the balance is sure to be squandered. Indeed, in every point of view, I am satisfied that it is to their advantage.

Respectfully submitted,

WM. P. RICHARDSON,

Indian Agent.

To D. D. MITCHELL,

Superintendent Indian Affairs, St. Louis, Missouri.

No. 19.

IOWA AND SAC MISSION,
September 25, 1851.

DEAR SIR: The following items will enable you to understand the state of the school at present, and for the year ending September 30, 1851:

Highest number during the year in school-----	44
Lowest number during the year in school-----	25
Average number in attendance-----	35½
Average number last year in attendance-----	32
Boys, number at present in school-----	17
Girls, number at present in school-----	11
Reading, boys, 10; girls, 3-----	13
Spelling and beginning to read, boys, 4; girls, 3-----	7
Writing, boys, 10; girls, 5-----	15
Spelling only, boys, 3; girls, 5-----	8
Arithmetic, boys, 6; girl, 1-----	7
Committing portions of scripture, boys, 3; girls, 3-----	6

Nations, Sacs, 1; Foxes, 1; Sioux, 2; Blackfeet, 2; Ottoes, 1; Iowas, 21; half-breeds, 15. With the exception of the Ottoes, those from the other nations are half-bloods. During the past year the school has been taught entirely in English. On the Sabbath the children attend Bible class in the morning, and Sabbath school in the afternoon; also preaching in the forenoon, and a lecture in the evening. They also receive catechetical instruction daily in the school.

As heretofore the boys, who are of a proper age, assist on the farm when necessary, and the girls assist in the various kinds of work about the house.

We have two hired hands on the farm, and besides the families of Mr. Irwin and myself, one female teacher, Mrs. S. A. Waterman; also three female assistants in the domestic affairs. Preaching and visiting the Indians from house to house, are attended to about every day or oftener. Though they frequently listen with a good degree of attention, no saving change appears to have been wrought in the hearts of any of them, and they continue, as heretofore, attached to their heathenish practices.

The progress of the children in the school is commendable, with the exception of a few whose intellects are not very bright.

We have been troubled more with the children's running away (encouraged to do so by their friends) during the past summer, than for some time previous, and some are yet absent whom we hope to obtain. This will account for the present number of scholars being less than the average attendance during the year.

Respectfully, your obedient servant,

WM. HAMILTON.

Major W. P. RICHARDSON.

No. 20.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
Van Buren, Arkansas, October 20, 1851.

SIR: The payment of the "per capita" to the "old settlers," or "western Cherokees," with which I have been charged, has prevented me from making my annual report as soon as required by the regulations.

Immediately on the receipt of your instructions requiring the payment to be made to those who were alive at the time of registration, I directed Agent Butler to convene the census committee, and with them proceeded immediately to take the census in accordance with the treaty of 1846, and your instructions. I also called upon the committee which had been elected by the convention of the "old settlers," in March last, to adjudicate the claims which were held against that party by individuals who had aided them in the prosecution of their claims against the government of the United States. I met this latter committee at the time I had designated for that purpose, and in my advice to them I warned them to guard the rights and interests of the Cherokees, and at the same time to do justice to the claimants; and, in order to this, it would require them to exercise a strict scrutiny into the claims, to see that the services charged for had actually been rendered, and that they were for the benefit of the whole party, and not for that of individuals alone who belonged to that party, as it was to be feared that private debts would, in some instances, be charged against the party.

On the 27th of August last, the census committee reported to me, and on the 1st September following the committee on claims made their report, having adjudicated and allowed claims to the amount of \$70,369 50. against the old settler party; this amount being larger than some of the Cherokees expected, various protests were presented, opposing the payment of the amount awarded.

At the convention which was held in March last, for the purpose of ascertaining the wishes of the party relative to the mode of paying the "per capita," whether to those who were alive and west of the Mississippi river at the date of the treaty of 1835, and their heirs and legal representatives, or to those who should be found alive at the time the census required by the treaty of 1846 was taken, the question was put, "shall a majority in all cases govern?" and upon the vote being taken, it was unanimously answered in the affirmative.

The committee on claims having been elected, and their duties assigned them by the same convention, and they having reported a certain amount of claims as just, and having rejected others as not being justly chargeable to the "old settlers," I felt myself bound to pay in accordance with the award of the committee, as I considered them the representatives of the party, as publicly declared by their unanimous election by the convention in March last.

I had, moreover, no power, by the act of Congress making the appropriation, to pay any claim, except such as the party should authorize. I, therefore, determined to pay no attention to any protest which had been presented, but proceed to make the payment as instructed, as I had abundant reason to believe that no plan could be adopted which would not find opposition, however just and equitable it might be.

My clerk, Mr. Willard, immediately commenced preparing the pay rolls accordingly, with the assistance of Mr. Wilson, Choctaw agent, whom I ordered to assist in preparing the rolls and making the payment, being desirous of despatching the business as soon as practicable.

The pay rolls were completed, and the payment commenced on the 22d ultimo, at Fort Gibson, which place I had selected for making the payment on account of its adaptation for that purpose in many respects, but especially that I might be enabled to preserve good order during the payment,

and I am now happy to be able to inform you, that I was not disappointed in my anticipations. General good order was preserved during the entire payment, which I closed at that place on the 7th instant, to the entire satisfaction of a majority of all concerned.

The Cherokees, as a people, have, on this occasion, generally conducted themselves with propriety; very few have been intoxicated, or done anything calculated to interrupt the general good feeling and good order which have prevailed.

I would here express my thanks to Major Andrews, the commanding officer of Fort Gibson, and the other officers of the post, for the hearty and efficient co-operation and aid which they on all occasions have rendered to me during the payment.

I am moreover of the opinion that Fort Gibson is the most suitable point to make payments to the Cherokees, as the military force stationed there can be used most conveniently for the preservation of good order, and the suppression of every thing calculated to annoy either those engaged in making the payment, or those who have assembled to receive their per capita.

I deem it proper here to give it as my opinion, that Fort Gibson would be the most proper point for making the contemplated payment to the "emigrant Cherokees," as I believe it would be impracticable to preserve good order elsewhere.

The government funds, which will be placed in the hands of the agent for making the payment, can be kept more securely at the garrison than elsewhere, as the money can be placed in the magazine, over which a sentinel is placed night and day.

I would further recommend, that before the funds are remitted for the payment, all the preliminaries should be settled, so that as little time may intervene between the time the money leaves the treasury and the payment as possible; thus saving the agent of the government here from a great deal of responsibility and liability to sustain losses from a variety of casualties.

Moreover, if any unavoidable delay occurs, as in the case of the payment to the "Old Settlers," great excitement is produced in the country among all classes of the community who expect in any way to derive any benefit, directly or indirectly, from the money to be paid; and even men who ought to, and it is believed, do know better are not slow in propagating, if not originating, false grounds for the delay which were entirely beyond the agent's control.

There is great want of unanimity among the Cherokees; they are divided into small factions, each opposing the plans of the other, and suspicions that some advantage is to be taken in some way or other; and to such an extent has this course of things proceeded, that it is exceedingly difficult to get men in a public capacity to do what they deem just and proper, lest it be displeasing to some who may be disposed to do them a private injury: and nothing is more common than to hear threats made that if a certain course is not pursued by an individual, his life must pay the forfeit. This is one cause of the great inconsistency frequently observed in the acts of the Cherokees.

As an instance of great inconsistency, I would mention, that some days after the payment had been commenced a protest was presented, setting forth a further claim under the treaty of 1846, though the signers were

eagerly crowding in to receive their money, and signing a receipt for the same in full of all demands arising under that treaty. This protest I treated as I had done the others, knowing that nothing could be effected by talking with them, and being moreover satisfied with the receipt of the claimants, as required by the act of Congress making the appropriation.

Though the "per capita" of the "old settler" Cherokees is larger than has ever been paid to any Indians within the bounds of the superintendency, yet some had contracted debts to the full amount of their claim, and in some instances more; and, what is worse, they have little or nothing to show for it.

Most of the Cherokees who, on this occasion, had contracted debts on the promise of paying when they received their "per capita," have done credit to themselves by complying with their promises.

The general condition of the Cherokees, as well as that of other tribes embraced in this superintendency, will be seen by the reports of the several agents, which, together with the sub-reports of teachers, missionaries, &c., are herewith forwarded, and to which I would respectfully refer you. I have received no report from the Seminole sub-agent, but, as he has gone to Washington city, he will, in all probability, make his report directly to you.

In conclusion I am happy to be able to report to you that amicable relations continue to exist between the several tribes embraced in this superintendency, both in their intercourse with each other and the citizens of the adjoining States of Arkansas and Missouri.

I have the honor to be, very respectfully, your obedient servant,

JOHN DRENNEN,

Superintendent of Indian Affairs

LIFE LIA, Esq.,

Commissioner Indian Affairs, Washington, D. C.

No. 21.

Fort Gibson, September 29, 1851

SIR: No very material and important changes have taken place in the Choctaw nation since your last annual report. It therefore would seem almost unnecessary that I should make any report to you at all; but as it is required by the regulations of the Indian department, I will briefly state a few of the most important facts respecting the present condition of the Choctaws.

The emigration of the Choctaws from east of the Mississippi river to their homes west of the State of Arkansas, so much desired by the government and the citizens of the State of Mississippi, as well as by their Choctaw brethren west, and all who are desirous of the welfare of the Choctaws and of the Indian race, has proved almost an entire failure during the past year. But few have emigrated, and of these a majority have returned to their old homes.

In the years 1831, '32, and '33, the government removed, in accordance with the treaty of 1820, all who were desirous of going west by means of agents of its own selection and appointment. When the emigration was recommenced in the year 1845, a contract was made with a company, b

which the contractors were to receive a certain sum for each Indian so emigrated, they having the exclusive right of emigrating. Subsequently, however, the privilege was allowed to all persons to engage in the business who might see proper to do so. This latter system has, in my opinion, greatly retarded emigration by the want of unity of action on the part of those engaged in it, necessarily resulting from the want of unity of interest. Another evil has, moreover, grown out of the system of allowing any person to emigrate Choctaws, which has caused a considerable expenditure of money without effecting the object desired; many of them having returned to Mississippi soon after their arrival west, in accordance with express arrangements, as I am informed in some instances, made by the emigrators with the Indians removed by them. I am therefore decidedly of the opinion, if the emigration be continued, that some plan should be adopted to protect the government against such frauds for the future.

The plan recently adopted of paying the land scrip due the Choctaws still residing east of the Mississippi, where they now reside, instead of the Choctaw nation west of Arkansas, as heretofore, will doubtless have a tendency to make future emigration more *bona fide* than heretofore, even though the system now in operation be continued, as the emigrators would have no motive to induce them to make arrangements, as heretofore, to take the Indian back, and the Indian himself would not have the means, as heretofore, when he sold his scrip.

Those Choctaws who have emigrated west since 1845 have scattered about among their friends in the different portions of the Choctaw country, and are doing mostly quite as well as could be expected. They seem to appreciate the advantages which they enjoy here, and are well pleased with their change of country.

The past summer has been one of great drought in the Choctaw country generally, which has made the crops unusually short, both of corn and cotton. However, with proper economy enough will be raised for the supply of the ordinary wants of the people. If the season had been as good as usual, more would have been raised than in former years, as a greater quantity of land was in cultivation than heretofore, almost every one having made some addition to his fields the past spring.

At the last session of the Choctaw general council a considerable change was made in their judicial system. Instead of a local judge for a certain district of country, one circuit judge was appointed for the entire nation, who holds court in each of the four districts once in three months. These districts were also divided into counties, each of which has a judge and an inferior court, which has cognizance of minor offences, and all cases where the amount involved does not exceed fifty dollars. It is also the duty of these courts to examine and commit for trial those guilty of capital offences. Cases tried in the county courts can be appealed to the circuit court, and from the circuit to the national court, which is composed of one supreme and three associate judges. The national court sits once in six months at the general council-house of the nation.

During the past year the laws have been faithfully executed by the chiefs and their subordinate officers, and good order has generally been preserved. The cause of temperance has constantly been gaining ground for several years past. There was less drinking at the last annuity at all the different pay-grounds than I ever before saw in the Choctaw nation on such occasions. In the interior of the country very little intoxicating liquor is drunk.

The only places where intemperance prevails to any considerable extent is along the Arkansas line and on Red river, adjoining the Texas line. I am, however, happy to inform you that only small quantities are introduced at a time, and in such a way as to elude the vigilance of the light-horse.

I am happy to be able to inform you that the cause of education is steadily becoming a subject of deeper interest, and is gaining a firmer hold on the affections of the Choctaw people. The neighborhood schools have been doing well, though I have received reports from none of the teachers, as they are not under my control, and are mostly native Choctaws.

I enclose, herewith, the reports of several of the principal schools, from which it will be seen that much is being done for the improvement and amelioration of the condition of the Choctaw people. Missionaries sent by the American, Presbyterian, Methodist and Baptist boards, are assiduously engaged throughout the entire Choctaw country in endeavoring to evangelize every dark corner of the nation; and in many instances their labors have been abundantly blessed.

I have the honor to be, very respectfully, your obedient servant,
 WILLIAM WILSON, *Choctaw Agent.*

Col. JOHN DRENNEN,
Superintendent Indian Affairs.

No. 22.

SIR: In accordance with the regulations of the Indian department, the following report of Spencer academy for the past year is respectfully submitted.

The last session commenced on the 9th of October. The scholars returned with gratifying promptitude, thus evincing clearly the confidence of the people in the institution, and the deep interest they feel in the education of their sons. Before the close of the month more than one hundred scholars were in attendance. Out of ninety-six boys examined at the close of the preceding session, eighty-eight returned again to school. Of the eight which did not return, two went to Fort Coffee, one to Norwalk, one to Armstrong, and one to Centre College, Kentucky. The reason why the remaining three did not come, we do not know. The whole number of scholars connected with the institution during that session was one hundred and twelve; the largest number present at one time was one hundred and eight. From the 1st of November to the 1st of January the number of scholars present was at no time less than one hundred. Though pressed for want of adequate assistance, the instruction of the institution in all its parts was carried on without the slightest interruption until about the middle of May, when the measles broke out among the boys. All ordinary exercises were at once suspended, and our time and attention wholly devoted to the care of the sick.

It is usual, when a contagious disease, like the measles, makes its appearance among the members of an institution so large as Spencer, at once to break up the school, and send the pupils to their homes. But as our boys, without one exception that we know of, preferred to remain with us, and as no desire was manifested on the part of the parents to take their children away, and knowing that, though it would augment our responsibilities and

labors, it would, at the same time, greatly augment the comfort and perhaps preserve the lives of many of our pupils, we resolved to keep them together, and take care of them ourselves. In view of the fiery trial with which it pleased the Lord to try us, we see no ground to question the wisdom of the course pursued.

The sickness lasted about four weeks. Before the close of the first week the number of cases amounted to fifty-four. The whole number of cases, including several of the members of the mission families, was seventy. Within the short space of two weeks, we followed the remains of four beloved boys to their last resting place in the burial ground of the academy. Only two of these deaths were caused by measles. The deaths of the other two were due to other causes.

In consequence of the sickness occurring so near the close of the session, the usual examination was dispensed with, and the boys allowed to return to their homes as soon as they were sufficiently recovered to enable them to do so with safety.

No change was made in the plan of instruction and government from that stated in my last report. The branches of study pursued last session were also substantially the same with those of the preceding session. I need not, therefore, restate them. During the first part of the session, the teachers were the Rev. H. Balentine, Rev. Saml. McCulloch, M. D., Mr. Morris, and myself. During the latter part the teachers were the Rev. H. Balentine, Mr. Joseph Turner, Miss F. R. Thompson, and myself. Since the close of the session, the Rev. John Edwards, a graduate both of the college and theological seminary of Princeton, N. J., has joined the mission; I expect, therefore, to be in future relieved from the necessity of teaching, and allowed to devote my whole attention to the general interest of the institution.

Never, since my connexion with this institution, has the future of Spencer appeared so bright and promising as it does at the present time. Possessing, as it now unquestionably does in a high degree, the affections of its pupils and the confidence of the people, I feel that all my associates and myself need is time and grace and strength to do our duty, and the blessing of the Lord upon our labors, to make Spencer Academy more than ever, what it has ever been, the pride of the Choctaw people. But the sad memories of the recent past admonish to moderation, both in the indulgence and expression of high hopes respecting the unknown future.

As in our last report, so also in this, we have to notice the death of a dearly beloved associate in the work of educating the Choctaws for time and for eternity. Mrs. Susan Dutcher Morrison rested from her labors on the night of the 4th of February. She was eminently qualified for, and most deeply interested in the work assigned her at Spencer. She was deservedly beloved by her associates, her pupils, and the Choctaw people. The term of her labor was short, only two years and two months, and yet it was more than three times longer than that of brother Graham, which was only eight months.

ALEXANDER REID,
Supt. of Spencer Academy.

WILLIAM WILSON, Esq., *Agent, &c.*

FORT COFFEE ACADEMY,
Arkansas, August 8, 1851.

DEAR SIR : As the session of the schools placed under my care has closed, I deem it proper to furnish you with a statement of our past labors and future prospects.

I received my appointment as superintendent of Fort Coffee and New Hope academies the 12th of August last, and came immediately on, and made every arrangement in my power for the opening of the schools. My worthy predecessor had already employed Mr. David W. Hanna and wife as the teachers for the male department. The schools opened as usual on the first Tuesday in October; Mrs. H. took charge of the smaller classes, and Mr. H. the more advanced students. They are able and experienced teachers, and labored to the utmost of their ability through the entire session to make their instructions useful to the pupils; and as this school is conducted upon the manual-labor system, I think it is not out of place to give you our plan of operation. We rise in the morning at daybreak: prayers succeeded by breakfast at sunrise; labor till eight o'clock a. m.; then teach till twelve; give one hour for dinner; then school till half past three; labor till sunset: time for preparation; then supper and prayers and retire to bed at nine o'clock, always giving the signal by the ringing of the bell. During the hours of labor I have generally taken charge of the boys myself, and made every effort in my power not only to make them work but to show them *how* it should be done. We have cultivated about forty-five acres in corn, besides oats, peas, potatoes, &c. It is supposed that the crop of corn alone is worth one thousand dollars, and yet we have had but two servants employed on the farm at ten dollars per month each: hence you may infer that the labor of the boys has been valuable to the institution, as well as instructive to them in agricultural pursuits. We have a tolerable stock of hogs, cattle, and horses; a large number could be employed profitably to the establishment.

The annual examination took place on the 3d of July. We had quite a number of Choctaws and friends of the institution out on the occasion, among whom were Mr. McKenney, the trustee, Colonel McCustin, the chief, Rev. Mr. Tabert, P. E., and Mr. Wilson, the agent. Two of the boys were sick, and three were absent, leaving us forty-five to present before their friends, who had come to witness the improvement that they had made in the different branches of education. They were examined in spelling, reading, writing, English grammar, geography, arithmetic, and natural philosophy; and I must think that all who *heard* were satisfied that the recitations were very good. One young man had also made some proficiency in algebra and Latin, and it is said will be selected as a suitable person for college, in order to finish his education; Ely Perry is his name, son of Rev. Dr. Perry. Several of the boys delivered speeches on various subjects, all interesting, including a dialogue, which produced quite a thrill of laughter through the audience; and the examination closed with an address from the chief in the Choctaw language, and one from the Rev. Mr. Jabert, in English, interpreted by Mr. McKenney; and all returned home, so far as I could judge, well pleased.

The female department, called New Hope, is located five miles south of Fort Coffee, and one mile from the Choctaw agency. That school did not

commence its present session till the month of November, owing to a request sent to me from the council to suspend operations there till they could have an interview with our bishop at the conference. They appointed a committee to wait on the conference, and make known their wishes, which were, to have the schools divided and a separate superintendent appointed for New Hope. The expected bishop, Bascomb, died, however, before he reached the conference, and we did not feel authorized to make the arrangements, but promised to make known to the board and bishops of the church the wishes of the council, which was done, and a superintendent will be appointed in due time to take charge of the New Hope seminary. It is believed that this would be a better arrangement than the present, as some difficulties could be avoided that have existed heretofore. I had employed two very excellent teachers for New Hope, Mr. T. G. McCulloh and wife, who gave *entire* and *universal* satisfaction to the friends and patrons of the school. The annual examination came off on the 4th of July, and the classes were all examined before a large and intelligent audience in spelling, reading, writing, geography, English grammar, arithmetic, history, &c.; and to say that the recitations were good, would not express the feelings of the friends present; they were *very good*. The specimens of sewing and knitting gave evidence that the young ladies and little girls had been instructed in domestic labor and economy, as well as in literary pursuits. The number of female students has been raised from thirty-five to fifty, as I informed the trustees at the opening of the session that we could take that number.

The students in each of the schools have been well fed and clothed, their beds kept clean, and every thing has been done that was thought necessary to make them comfortable.

The financial interests of the institution are in a safe condition, for, after all the expenses of the current year are met, we shall still have a surplus of funds on hand. We think this is doing well, in view of the loss of the crop last year and the high price of grain, and also the increase of the number of students from eighty-five to one hundred. We regret to say that during the past winter we have had great affliction, for nearly every student, male and female, had an attack of pneumonia; but through the skill of our excellent physician, Dr. C. W. Brenton, not a patient was lost. We think this very extraordinary success: but while we acknowledge human instrumentality, we would express our deep indebtedness to the providence of Almighty God, whose tender mercies are over all his works.

Hoping that the labors of all concerned may be crowned with greater success in the future than in the past, I subscribe myself your highly favored servant,

JOHN HARRELL,

Superintendent of Fort Coffee academy.

To Mr. WILLIAM WILSON,
Choctaw agent.

No. 24.

WHEELLOCK, CHOCTAW NATION,

September 3, 1851.

DEAR SIR: I have the honor of submitting to you the following report of the female school at Wheellock, and also of the boys' school at Norwalk, both of which I have the superintendency.

Permit me here to express the pleasure it affords me to direct my report to one who has so long been acquainted with the Choctaws, and who feels so deep an interest in whatever tends to their elevation and prosperity as a nation.

FEMALE SCHOOL AT WHEELOCK.

This school, under the act of the school appropriation, commenced its operations May 1, 1843, and therefore has now completed its eighth year, a period sufficiently long to test its utility. The success which has attended this institution affords convincing proof that the female schools, so wisely established, and so liberally provided for by the national council of the Choctaw nation, cannot fail to exert a most important and healthful influence on the people.

In this, as well as the other female schools connected with the American board, a conviction has been felt and acted upon, that the moral as well as the intellectual powers need cultivating. While, therefore, we labored assiduously to store the intellect with useful knowledge, we have also endeavored to bring the heart and conscience under the influence of divine truth. The Bible has, therefore, from the first held a prominent place in the instruction given. It is read daily in the school room, with familiar explanations, by the teacher, and portions of it daily committed to memory by all who are capable of doing it.

The number of pupils during the term has been thirty-nine, of these twenty-four were on the appropriation. This number is smaller than in former years. This diminution has been a matter of necessity, from there being but one teacher in the literary department, and not from any abatement of interest in the school on the part of the Choctaws. Numbers applied to place their children in school and pay for their board when it became necessary to refuse, in order to keep the school within such limits, as to numbers, that one teacher could do justice to it, consistently with health.

Five or six hours in the forepart of the day is spent in study; the afternoon is devoted to sewing; plain and fancy needle-work; the cutting, fitting, and making of garments for themselves and others. A juvenile missionary society, embracing all the pupils in the school, has devoted one afternoon in each week to plain and fancy needle-work, most of which has been sold, and the avails, amounting to \$54 50, will be appropriated to benevolent objects which the children themselves may choose.

The examination of the school at the close of the term was highly satisfactory, giving evidence of the diligence of the pupils and the fidelity of the teacher.

In spelling, all who were capable of doing it, have attended to the defining of words, using, for this purpose, Webster's school dictionary and Town's spelling-book. In reading, the teacher has not only endeavored to have her pupils read correctly, but has selected such books as will lead them to think, and such also as will have a moral and religious influence—*as* Conversations on Common Things, Child's book on Repentance, History of Jonah, and Natural Theology by Gallaudet.

Twenty-eight attended to arithmetic, and were in various stages of advancement. The performances of the higher class on the black-board evinced a familiar and accurate acquaintance with the rules of arithmetic.

as far as they had respectively gone, some of them bearing an examination, with much credit to themselves. through vulgar and decimal fractions, interest, mensuration, &c.

Sixteen attended to English grammar, and the more advanced of them, by their correct parsing, showed a commendable knowledge of the subject.

Of eighteen in geography, the attainments were various, according to age and the time employed in the study; some being examined through the whole of Smith's geography, Fowle's outline, and Bidwell's large hemispherical maps were used.

Eighteen attended to Miss Swift's first lessons on natural philosophy, and twenty to the history of the Bible.

In addition to the above mentioned studies, the most advanced class, consisting of five, were examined in Smith's illustrated astronomy, with questions from other works; on Mrs. Lincoln's botany, in part; on Blair's grammar of chemistry, with questions from Comstock's chemistry; on Holbrook's lessons in geometry; and on the geography of the Bible, by J. W. & J. A. Alexander, and acquitted themselves well on all these studies.

The whole of the Assembly's catechism, with notes and references, was repeated with entire accuracy by sixteen of the pupils, at the opening of the examination. The knowledge which the pupils have acquired of the doctrines and precepts of the Bible is truly gratifying.

NORWALK SCHOOL.

Whole number of boys 21; boarding in the family 18; neighborhood scholars 3. This school has also done well the past year. The steward and teacher have been diligent and faithful in their respective departments, and given, it is believed, general satisfaction to the people. The studies attended to were spelling, reading, writing, arithmetic, English grammar, geography, natural philosophy and Bible history.

The highest class in arithmetic have been through the whole of Adams' arithmetic, including the extraction of the square and cube roots, mensuration of solids, gauging, &c. The class evinced a very thorough acquaintance with their text book, and answered nearly every question proposed to them on the black-board.

In grammar and geography the examination was equally satisfactory. The most advanced class, besides Miss Swift's natural philosophy, passed a good examination on the first nine chapters in Olmsted's book of natural philosophy for schools. When it is considered that most of the pupils of these schools are young, the greater part under twelve years, and but few who have attained to fifteen, it will be seen that the progress made has been praiseworthy.

In regard to both the schools at Wheelock and Norwalk, it may be remarked that the past has been a pleasant year to the teachers. Discipline has been maintained with very little punishment. The children, with scarcely an exception, have been docile, affectionate, obedient and studious. The teachers and others who have shared in the labor of these schools have been devoted to their work, and the improvement they have witnessed in their pupils has been a rich reward for their diligence and fidelity.

But my labors, as you are aware, are not confined to the schools. Preaching the Gospel of Christ is the great work for which I wish to spend and be spent. The Wheelock church consists of two hundred and thirty-

eight members, seventeen of whom were added on a profession of their faith during the year ending the first of September. There are, besides Wheelock, six places where public worship is maintained on the Sabbath, in the absence of the pastor by an elder or some lay member of the church. At a meeting of the Indian Presbytery, in April last, the Rev. Pliny Fisk, a full Choctaw, was ordained to the work of the Gospel ministry. He has now the charge of Mount Zion church, consisting of eighty members, and thus relieves me of a part of my field of labor. Mr. Fisk extends his evangelical labors into the settlements from ten to thirty miles around him, going north as far as Judge Wade's settlement in the Kiamishi valley.

Through all the extent of country occupied as preaching ground by Mr. Fisk and myself, extending from Kiamishi valley in the north to Red river on the south, a distance of eighty miles, and from fifteen to thirty-five miles in width, are Choctaw schools taught by natives, and mostly only on Saturday and Sabbath. To most of these schools a small appropriation is made from the public funds of the nation, but some of them are supported wholly by the people themselves. Reading, writing, spelling and arithmetic, mostly in the Choctaw language, are taught in these schools. In most of them religious exercises are held on the Sabbath by the elders, or some lay member of the church. These schools have generally had a happy influence in enlarging the Sabbath congregations, where the Gospel had been already statedly preached, and in preparing the way for its preaching in other places, and in leading many, especially the young, to keep the Sabbath, who would otherwise profane the day by ball playing, or some other sinful amusement.

The knowledge acquired in these Saturday and Sabbath schools is of a moral and religious kind: that which tends to restrain from vice and lead to virtue. The Choctaws have in their own language the whole of the New Testament, the Westminster shorter catechism, religious tracts explaining the doctrines and duties taught in the Bible, biographical sketches of pious Indians, and other reading matter, all of a strictly moral tendency. They have also an arithmetic in their own language, teaching the ground rules, and simple and compound vulgar and decimal fractions, mensuration, interest, &c.

There is also now in press at the Bible house, in New York, the books of Joshua, Judges, Ruth, I. and II. Samuel; also in course of publication, at the Tract house, New York, the sacred biography of Gallaudet, abridged, as far as through the life of Moses.

There is a temperance society in the neighborhood of Wheelock, embracing nearly three hundred members. There is also a flourishing one in the neighborhood of Mr. Fisk.

At a late temperance meeting near Wheelock, one hundred and thirty-even became members and signed the pledge of total abstinence.

At no former period have I been more encouraged in my labors, and I trust the time is not very remote when the Choctaws, as a nation, will be that happy people whose God is the Lord.

Yours, respectfully,

ALFRED WRIGHT.

WM. WILSON, Esq.,

United States Agent, Choctaw Nation.

No. 24.

STOCKBRIDGE, September 1, 1851.

DEAR SIR: I herewith send you the report of the Tyanubbee female seminary for the year ending July, 1851. I do this at the request of the Rev. Cyrus Byington, superintendent of that school, who is now absent for the benefit of his health.

The seminary has a pleasant and healthy location. There are residing at the station Mr. D. H. Winship, steward and farmer; Mrs. Winship, who has charge of the dining-room and kitchen; Mr. Beal, assistant laborer; Miss E. J. Hough, teacher; and Mrs. L. E. Lathrop, who has the care of the girls out of school, and instructs them in needle-work, &c.

The farm belonging to the seminary furnishes in most seasons what vegetables and corn are needed.

There have been thirty-four pupils in the school during the past term; of these thirty were on the appropriation, and four neighborhood scholars. A large proportion of the pupils have been in school but a short time; none having entered the present year, ten in 1850, and five in 1849. Most of these entered quite young—from six to eight years old; and most of them are full Choctaws, and entirely ignorant of the English language. It seems necessary to mention these facts, in order that a correct judgment might be formed as to what might be justly expected from the children laboring under so many disadvantages. Yet, under the unremitting and persevering efforts of the teacher, these interesting little Choctaw girls have made very praiseworthy proficiency in talking English, and in reading and spelling; ten of them read very well in the New Testament: a few of them have commenced Miss Swift's lessons in natural philosophy.

A class of nine, who entered the seminary in 1848, in addition to reading, spelling and writing, studied arithmetic, Miss Swift's natural philosophy, and Mitchell's primary geography.

A class of three, who entered in 1847, in addition to the above named studies, made good progress in grammar, geography, and Watt's on the mind.

A class of three, who commenced in 1846, besides attending more fully and extensively to the studies of the last mentioned class, added the study of history.

In this school, as well as in all our other schools, the Bible is made a prominent study, and portions of it are daily committed to memory, it being our object to train our pupils to believe its doctrines and to obey its precepts, and so secure the great end of their creation. Under this religious training many of the children have manifested a becoming thoughtfulness, and the voice of prayer is often heard after they retire to their chambers to rest for the night.

Great pains are taken to make the girls acquainted with all that pertains to a well-regulated household. All that are old enough devote a part of the time out of school to the important duties of the dining-room and kitchen. Besides doing their own mending and other sewing, they have made, during the past term, two hundred and nine articles of clothing, composed one bedquilt and commenced another, and knit twelve pairs of stockings. Although a part of the children are quite young, and have but recently entered the school, yet they have become quite handy in the use of the needle; and the habits of order, neatness and cleanliness which

they all acquire under the direction of their teachers, give promise of future usefulness, and inspire the hope that they will exert a healthy and elevating influence on the character of their people. All who have shared in the labors of the seminary have been devoted to their work: and the proficiency of their pupils under their instruction has been a rich reward for their diligence and fidelity.

Mr. Byington's labors as an evangelist, extend over an extent of country sixty miles long and thirty broad, in which are about three thousand Choctaws, and seven places of preaching. Public worship at most of these places on the Sabbath, is kept up by the help of his elders. A number of Saturday and Sabbath schools are also in operation within the sphere of Mr. Byington's labors, and exerting a salutary influence as in other parts of the nation. In one neighborhood a school is sustained during the week.

Mr. Byington is spending the summer at the North for the benefit of his health: but while absent he is, as far as his strength and due attention in the use of means for regaining his health will allow, laboring for the good of the Choctaws. He is superintending the printing, in Choctaw, of the following works, viz: A new edition of the Choctaw hymn book, enlarged with the addition of thirty or more new hymns: the books of Joshua, Judges, Ruth, I. and II. Samuel, and an abridgement of Gallaudet's sacred biography, as far as through the life of Moses. He will also publish the Choctaw definer. Thus, while Mr. Byington is called in an All-wise Providence to be absent from his family and church for a season, he is laboring most efficiently for the good of this people.

Yours, respectfully,

ALFRED WRIGHT

WILLIAM WILSON, Esq.,

Indian Agent, Choctaw Nation.

GOOD WATER, September 22, 1851.

DEAR SIR: Your letter of September 1st to the Rev. C. Kingsbury came to my hands last evening. I am sorry that I did not get it at an earlier date. I was not aware before that your report would be required by the 1st of October. I lament it the more, for I fear that anything that I may communicate will not reach you in time, and there are some things that I should be happy to have known at Washington: and in my report of the school, church, &c., at this station, I shall only state facts as briefly as the case will admit.

1. The schools.

Regular boarders, forty-four during the year; day scholars, six—try. The health of the pupils has been good. The advancement in knowledge in books, needle-work, domestic work, &c., has surpassed the progress of any former year. In a majority of our pupils there appeared a disposition not only to improve but to excel: to commit their different studies so as to leave a lasting impression on the mind. Some of the more advanced scholars paid some attention to drawing and painting, also to worsted-work and wax-work. At the annual examination a sale of these articles was made, which amounted to sixty-five dollars and seventy-one cents. The money has been forwarded to the A. B. F. M. as a donation from the

school to spread the gospel. The conduct of our pupils has, almost of every individual, been good: and perhaps there is not a school in the United States where it can be said that more than one-half are professors of religion. The Bible is the very best school-book. There is very little difficulty in managing a school where the precepts of Christ govern the school.

2. The church.

There have been added to this church during the year one hundred and five persons. These are mostly full Choctaws. The attendance at preaching has been good, and increasing through the year. Within the bounds of this church we have eight places for preaching. At six of these places we have meeting-houses; four are built of logs; two are framed buildings, forty-two by thirty-two feet; one has been built this year at an expense of about seven hundred dollars; and *no debt unpaid on that account*. Good for Choctaws. This church and congregation have contributed one hundred and sixty-five dollars to help to spread the gospel in heathen lands. Other charitable institutions have received some aid from this church. The good effects of these things are distinctly visible. Even those who have no religion acknowledge this. True piety does men good.

3. Temperance.

This subject has occupied a good share of the attention of good men this year, and I think the prosperity of the church and people generally is attributable, in a great measure, to the attention that has been paid to that subject. In all our protracted meetings, temperance has been brought before the mind as the first and the only step to improvement. We have been at considerable expense to promote this cause, and it has been to us the very best way to invest money, much better than to invest it in orphan asylums, or jails, or penitentiaries, &c., &c. Quench the spark, purify the fountain, make men temperate, and the work is done. A doggery boy told me the other day, that he did not now sell one gallon where he sold three six months ago. The Choctaws are getting up a petition for the next Texas legislature, praying that body to stop the sale of ardent spirits to themselves. I hope they will succeed.

4. Industry.

The people, so far as I am able to judge from twenty years' observation of their habits and manners, become industrious as they become *pious*. May suppose that civilization alone will produce industrious habits. From long observation, both among our neighboring population and the Indians, I am convinced that piety, and piety alone, will produce steady, industrious habits. A *pious man* will be more or less so. Where are the schools and churches in Arkansas and Texas? A man may ride a week in some parts, and not see or hear of one; but it would be a hard saying to say they had no civilization. No, this is not the fact; they have not the piety. Piety begets benevolence; benevolence stirs up men to act, and to act for themselves and others. Six years ago we could not have built the church that we have built this year. And this was the only reason—*there was not piety enough*. I am happy to say on this subject, there has been this year a good advancement made.

We have suffered extremely from drought. The corn crops are in some places nearly all cut off. But I think there will be enough in this vicinity for the wants of the people. One of my neighbors has made twenty-five loads more this year than he did last. Oxen broke to the yoke are multi-

plying slowly. More wheat will be sown this year than ever before. A strong desire is manifest in quite a number to live better—to have better houses, clothes, and above all, to have their children at school. Some other things and facts might be mentioned, but perhaps this will suffice for your present purpose.

Very respectfully, yours,

E. HOTCHKIN,
Sup't Koonsha School.

W. W. WILSON, Esq.,
Choctaw Nation.

No. 27.

PINL RIDGE, *August 27, 1851.*

SIR: In compliance with instructions from the Indian Department, I send you the annual report of the Chuahla female seminary, for the year ending June 30, 1851.

The school has been under the instruction of Miss Goulding, who has been the teacher for more than five years. The term which commenced the second of October last was continued, without interruption, until the fourth of July of the present year.

We would give thanks to the giver of all our mercies for the almost uninterrupted health enjoyed the past year, both by the family and the pupils of the seminary: other schools in the neighborhood have been visited with wasting and fatal sickness, while we have been exempt. We hope never to forget our obligations for these special favors.

The whole number of pupils was 43: average number 36.

Supported by the appropriation	-	-	-	-	26
Do parents and friends	-	-	-	-	3
Boarded and instructed for their labor when out of school	-	-	-	-	4
Day scholars from the neighborhood	-	-	-	-	10
					13

Stage of improvement.

- 17 studied practical arithmetic, (four went through cube root.)
- 17 studied mental arithmetic.
- 18 went through, and reviewed Fowle's common school geography.
- 14 studied grammar.
- 6 studied Watts on the mind.
- 13 went through the first part of Miss Swift's natural philosophy.
- 17 recited through Mrs. Jane Taylor's philosophy.
- 20 wrote.
- 10 wrote short pieces of their own composition.

Eleven entered the present term, some of them as late as May; all, with the exception of three, are now able to read in the Testament. The progress of the pupils has generally been good, probably equal to any preceding year.

An important object has been to give the pupils habits of industry, and to teach them how to perform skilfully the various branches of domestic labor.

The larger number of the girls under the direction of Miss Bennett have been occupied when out of school in making bosom shirts, coats, pantaloons, vests, &c., and in cutting and making their own clothes, mending, knitting, &c. Miss Bennett teaches those under her care to do all their work thoroughly.

A smaller division of the girls (some of whom are changed weekly) have been employed in the dining-room and kitchen. We have no female black help: all the washing, cooking, and other labors of the family are performed by the Choctaw girls and the ladies of the mission.

Some little attention has been given to fancy work, but we regard this branch of education as of very little consequence to girls situated as these will be when they leave us; especially should they have families of their own to provide for.

My labors as a minister have been divided principally between Doaksville, Mayhew and Bennington: to these three churches there have been added the past year twenty-three members.

The temperance cause has a strong hold on the people among whom I have labored; still there is a class of Choctaws, mostly young men, who continue intemperate, and appear to be perfectly reckless. They show by their actions that they have no fear of God; they are seldom, if ever, seen where the gospel is preached.

In connexion with the above-named churches are three schools, taught on Saturdays and on the Sabbath days, and one other school which is continued through the week. These schools are taught by Choctaws.

There has also been a Sunday school at Doaksville, taught by some of the young people of the place, assisted by the teachers of Chuahla female seminary.

Contributions to benevolent objects have been liberal. Of late there is a call for preaching in more places than we can supply.

It also gives us pleasure to be able to state that the laws have been more promptly and vigorously executed the past year than for many years before.

I am, very respectfully, your obedient servant,

C. KINGSBURY,

Superintendent of Chuahla female seminary.

T. WILLIAM WILSON, Esq.,

Choctaw agent, Choctaw agency.

No. 28.

CHEROKEE AGENCY, September 14, 1851.

SIR: In conformity to the regulations of the Indian department, I have the honor to submit for your consideration the following report of the condition and affairs of the Cherokee tribe of Indians.

The Cherokees, in their half-civilized condition, present some interesting peculiarities: their long intercourse with the whites has produced great mixture of blood and had great influence upon their language. Most of

the mixed blood speak the English very well, and in many cases the English is the only language they use, and cannot even understand their own. There are about eight hundred boys and girls who are taught at the public schools. Nearly all of them speak and are taught in English.

In the experiment they are making of a government, they have, I think, established one unsuited to their condition; they have a government with a written constitution, modelled after that of the United States government, composed of a legislative, judicial, and executive department.

The legislative department consists of a national committee and council; by a regulation of the government the nation is divided into eight districts, each of which is entitled to two members in the national committee, and three in the national council.

The executive officers and legislative body are elected by the popular vote of the nation; the executive hold their offices for four years; the legislative hold their offices for two years.

The judicial department consists in the establishment of a supreme court, composed of a chief justice and four associate judges; two circuit courts, the nation being divided into two judicial circuits: a circuit judge is appointed to each: there are eight district courts, there being eight districts in the nation: a judge is appointed for each district. There are therefore connected with the judiciary system fifteen judges, all elected by the national council.

The supreme court holds its session annually, and having appellate jurisdiction as well as original jurisdiction in some cases, it decides upon controverted points of law, brought up from the circuit courts for final action. The circuit court and district court hold their sittings semi-annually.

The executive branch of the government is composed of a principal and assistant chief, and three executive counsellors elected by the national council; in the absence of the principal chief the executive duties devolve on the assistant chief.

In their present condition they are not prepared to receive and enjoy the benefits and blessings of such a government. They have not, nor can establish any system of taxation by which the government can be supported. They have no income from any source except the annuity they receive from the United States, a tax of twenty-five dollars on lawyers, and a small tax on ferries.

The nation is about two hundred thousand dollars in debt; and their debt has been increasing, because the income does not pay the annual expense of the nation. The national council of last year reduced the salaries of officers, and it is now to be tried whether that reduction will not enable the nation to pay some of her debts. Warrants are issued to pay the expense of the nation which the annuity does not pay. The proceedings in their courts are very expensive. They have no jails; the guard necessary to be employed to keep in custody the criminals and other offenders are very expensive. The expense of one trial of murder, since I have been in the nation, cost the nation two thousand dollars. Public opinion in the nation is opposed to any change, because the guard is composed of the voters of the nation, and they receive fifty cents per day for their services as guard; hence they will vote for no one who is in favor of changing the system by building jails or any other means of security which will dispense with the guard.

It seems to me it would be sound policy for the United States government

to extend a territorial government over the Cherokee country, and authorize the Cherokees to send a delegate to Congress. This course would advance the civilization and promote the interest and general welfare of the Cherokees, and prepare them in a few years to appreciate and enjoy the benefits of the United States government in affording protection to person and property.

The Cherokees have made and are now making great progress in education. The educated and intelligent portion of the nation are giving their attention, with great zeal, to the masses of the Indians. Few people have better opportunities and greater facilities to educate their children than the Cherokees. They have in the nation *twenty-two* primary schools, averaging about fifty scholars, girls and boys. These schools are supported at the public expense, from the school fund which they receive from the United States.

There is a superintendent of these schools, whose duty it is to examine into and report yearly to the national council, the condition of these schools, and the manner in which they are managed and attended to by the teachers. The teachers, before they are employed, have to be examined by a competent board; besides their qualifications to teach, they are required to produce satisfactory testimonials of good moral character and sober habits. For further information, I would respectfully refer you to the report of Col. W. S. Adair, superintendent of public schools.

In addition to these primary schools, they have erected two large houses for male and female seminary, in which the higher branches of education are to be taught. The plan upon which these seminaries are to be conducted will be to admit twenty-five pupils for the first, and only to have one hundred in the institution at one time. These institutions will cost the nation, when completed, about eighty thousand dollars, to be paid for from the school fund furnished them by the United States. (For further information see reports.)

In addition to these facilities for education, there are in the nation six missionary stations, at each of which a school for boys and girls is kept. Of these missionaries three are Congregationalists, two Moravians, and one Baptist. (See their report.)

The Cherokees do not avail themselves, in many instances, of the opportunities offered to them of sending their children to school, as it is optional with their parents; many of them do not send their children to school regularly. Of the twenty-two schools in the nation, there is but one in which only the Cherokee language is taught: in this school they are instructed entirely in the Cherokee language. In all the other schools they are taught in English alone, and in most cases the English is spoken and pronounced with great accuracy by these Cherokee children.

I fear the moral education of the Cherokees is not equal to their intellectual. They labor under many disadvantages, after they receive their education and are fitted for the business of life, from the want of employment. They have very little variety in their employments; agriculture is the employment which is most generally their business; but it is not a favorite pursuit with them. Their standard of morals is low; they are a very shrewd and cunning people, but not industrious: have few mechanics, and not many laborers of any kind: have great fondness for trading. In many cases they employ white men to cultivate their farms; their farms contain from five to one hundred acres.

They have a fine country for agricultural purposes, yet they have no surplus produce for sale; but, on the contrary, their meat, flour, &c., is furnished from Arkansas and Missouri. Their country is well adapted to fruit, such as apples, peaches, plums, &c., yet they have very few orchards.

That part of the nation called the neutral land, containing eight hundred thousand acres, has immense mines of stone coal near the surface of the ground, which could be easily got to market, as the Grand or Neosho river runs through the nation, and is navigable for flat boats a great part of the year.

The staple productions of the country are corn, wheat and oats. Some farms in the southern part of the nation are well adapted to the production of cotton, and afford pretty fair average crops of that article, though not equal to the production of a more southern latitude.

There is a weekly newspaper printed at Tah-le-quah, the seat of government in the nation, edited by Mr. David Carter. This paper is printed partly in the English and partly in the Cherokee language, and I believe has quite an extensive circulation.

Churches in the Cherokee nation in charge of the different denominations

CONGREGATIONALISTS.

Park Hill	-	-	-	Pastor, Rev. S. A. Worcester.
Dwight	-	-	-	" Rev. W. Willey.
Fairfield	-	-	-	
Skin bayou	-	-	-	" Rev. T. Ranney.
Honey creek	-	-	-	" Rev. J. Huss, (native.)

BAPTIST.

Cherokee Baptist Mission	-	-	-	Pastor, Rev. E. Jones.
Delaware Town	-	-	-	" Rev. Peter Aqushu, (native.)
Pea Vine	-	-	-	
Beaties' Prairie	-	-	-	

MORAVIAN UNITED BRETHREN.

New Spring Place	-	-	-	Pastor, Rev. J. Bishop.
Beaties' Prairie	-	-	-	" Rev. D. Z. Smith.

METHODIST CHURCH SOUTH.

Cherokee district	-	-	-	Pastor, Rev. L. G. Patterson, P. E. six circuits and seven circuit preachers
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The Cherokee temperance society has over three thousand members, with an auxiliary society in each of the eight districts.

The Cherokee Bible society contributes on an average \$150 per annum: its object is the distribution gratis *among the people* of such portions of the Bible as are translated into the Cherokee language.

I regret very much that I have not been able to get the reports of the different missionaries and that of the superintendent of public schools. I

requested the report from them, but have not yet received it, but forward such as I have received.

I should have made this report sooner, but have been absent from my office some time, enrolling the Cherokees, in order that they might receive their *per capita* money in accordance with instructions, therefore have been prevented from forwarding this report.

I am, sir, very respectfully, your obedient servant,

GEORGE BUTLER,

Cherokee Agent.

Col. JOHN DRENNEN,

*Superintendent of Indian Affairs,
Van Buren, Arkansas.*

No. 29.

PARK HILL, CHEROKEE NATION,

September 9, 1851.

SIR: In compliance with your request, I submit the following brief statement. The M. E. church south have seven missions in the Cherokee nation supplied on the circuit plan:

1st, *Delaware*.—This embraces the northern portion of the nation. Rev. D. B. Cumming and William McIntosh, missionaries. In society and under religious instruction, 231.

2d, *Saline*.—Connected the past year with Tahlequah.

3d, *Tahlequah*.—Rev. Thomas B. Ruble, John Boston, and Isaac Sanders, missionaries. In society and under religious instruction, 554.

4th, *Cana*.—Rev. Thomas W. Mitchell and E. G. Smith, missionaries. In society, &c., 410.

5th, *Salazau*.—Rev. W. A. Duncan and Walker Cary, missionaries. In society, &c., 469.

6th, *Canadian*.—Rev. John F. Boat, missionary. In society, &c., 25.

7th, *Verdegris*.—Rev. James Essex, missionary. In society, &c., 42.

This last is connected with the Creek district. Number of missionaries, four white and seven native men are in service of the board. There are also about fifteen local preachers, who render considerable assistance by preaching on the Sabbath in many of the most destitute places. In all, upon his plan, something like between eighty and ninety different neighborhoods throughout the nation have regular preaching; some once in two weeks, others once in four weeks. Total number in society and under religious instruction, leaving out the children in the Sabbath schools, 1,781.

There are also a number of meeting houses and other places of worship, erected principally by the Indians and other citizens of the nation.

We have no schools under our care. The board owns no property in the nation.

Very respectfully, yours, &c.,

THOS. B. RUBLE,

Sec'y. Miss. Conf. Miss. Society.

GEORGE BUTLER, Esq.,

Cherokee Agent.

No. 30.

CREEK AGENCY, *September 15, 1851.*

SIR: I have the honor to present for your consideration the following as a report upon the condition of the subjects of this agency for the present year:

The last year was remarkable throughout the whole southwestern frontier for an excessive drought, which, in many sections of the country, entirely destroyed the crops of corn. The Creeks, however, by their industry, and from the fertile soil of their country, were enabled to produce a sufficiency for their own consumption. Unfortunately, the drought of the present year has been of much longer duration. The crops, in many sections, will not be worth the gathering, while the more favored localities and best cultivated farms will only yield partial crops. Fears are entertained that, for the first time, the Creeks will have to depend upon other countries for a supply of breadstuffs. This misfortune, however, if it occurs, will have a tendency to make them less improvident, and stimulate them to renewed exertions in providing against such an occurrence.

The Creeks, not having enjoyed the advantages of so early an establishment west of the Mississippi, have not advanced quite so far in the elements of civilization and the science of government as some of their red brethren by whom they are immediately surrounded. The rude and irresponsible form of government by chiefs still prevails among them. The chiefs all receive salaries in proportion to their grade and rank, or, in other words, a larger share of the common fund of the tribe than the great mass of the Indians. The result of this system has been a great increase in the number of chiefs, until they now amount to about eight hundred, or one to every twenty-five souls; and, as the moneys due from the government to the tribe are now paid to the chiefs, and they have it in their power to fix their own salaries, a large portion of the funds of the nation is divided out among themselves, and but little left for the great mass. Great wrong and injustice are thus done to the common Indians; and, as they are beginning to perceive and become dissatisfied with the system, and the evil continues to increase by the increase of the chiefs, the result before long will inevitably be serious internal dissensions and difficulties, if not strife and bloodshed, between the chiefs and their partisans on the one hand, and the common Indians on the other, unless the government interpose some remedy for this unfortunate state of things. This cannot, however, well and properly be done without a material change in their present form of government, which would also be of great advantage, and tend, in no slight degree, towards their more rapid advancement in civilization. With the adoption of the proper measures I think both objects can easily be accomplished, and with the assent and concurrence, not only of a large majority of the Indians generally, but of some of the most intelligent and influential chiefs, who, impressed with the iniquity of the present system of distributing their funds, and the difficulties it may lead to, and with the disadvantages of their present crude and inefficient form of government, are in favor of a reform in both particulars. I would, therefore, respectfully submit the following suggestions for the consideration of the department:

By the 8th article of the treaty of 1832 it is provided that "all the annuities due to the Creeks shall be paid in such manner as the tribe may direct." And as, under the present state of things, the tribe can be heard only

through the council, which is composed of chiefs, it is of course directed that their annuities shall be paid to them. It is perfectly competent, however, for the tribe to assemble in convention, and direct a different arrangement: and, by the influence of the government, such a convention may be brought about and a change effected, not only in the mode of paying their annuities, but also in their form of government. And I would therefore suggest that the department address a communication to the agent of the tribe, setting forth in strong and unequivocal language its views in regard to the propriety of such changes, and the advantages that will result from them, and directing him to call together a convention of the people in such manner and at such time as may be found most convenient and expedient to take these subjects into consideration. This communication should recommend to the Creeks, when they meet in convention, to follow the example of some of the other tribes, and adopt a written constitution, providing for a simple and economical form of government, suitable to their condition and circumstances, with proper legislative, executive and judicial officers for the management of their affairs; such officers to be elected or appointed in some suitable manner to be provided for, and to have moderate and reasonable salaries for their services and responsibilities. The expenses of such a government would, of course, have to be sustained out of the national funds, but would be far less than the excess now received by the large number of chiefs over the common Indians, and would leave a much larger sum than now to be distributed to the latter. The communication should advise and recommend that a fixed sum be set apart out of the national funds, annually, for governmental expenses, for beneficial objects of a national character, and a moderate amount for benevolent purposes, such as medicines and medical attendance for the indigent sick, and a small fund for the poor and destitute, to save them from want and suffering in times of scarcity and adversity; and it should be provided for that the amounts for salaries and other general expenses, and for the purposes above named, should not be increased, except with the assent of the department upon the recommendation of the agent for the tribe. The remainder of the annuity and the national funds left, after deducting the amounts for the above purposes, should be provided to be paid *per capita* to all alike, which is the most equitable, fair and just mode of paying Indian annuities that can be adopted; and there would be enough left to give the Indians generally a much larger distributive share than they now receive. If these results can be produced, and I am sure they can be, if urged upon the Creeks by the department, they will do more to elevate and improve their condition, and to advance them steadily in civilization, than any other system of policy and measures that can now be adopted or pursued towards them.

I would also respectfully suggest for the consideration of the department the benefits that would result from an annual convention, at some suitable point, of the agents of the various tribes embraced in the south-western superintendency, and one or more delegates from each tribe, to be selected by the agent, to be presided over by the superintendent. The agents would thus have an opportunity of conferring together, and gaining the advantage of the various knowledge and experience of each other. Intelligent Indians of the different tribes would be brought together, become better acquainted, and learn what was going on among the people of each for their benefit and improvement, and thus cultivate friendly relations and a beneficial and improving intercourse; while all—superintendent, agents, and Indian delegates

—could consult together for the welfare and advantage of the several tribes, and could suggest to the department such practical measures and changes as are required from time to time in consequence of the changes in the condition and circumstances of the different tribes, in order more fully to develop and carry out, to the utmost extent, the beneficial policy of the government towards them. The expenses of such convention, which would be trifling and of no moment in comparison to the great practical advantage and benefit to be derived therefrom, should, of course, be provided for and defrayed by the government.

The delegation lately at Washington, as well as their people, were much disappointed with the little success those representatives of the nation met with in their endeavors to have all outstanding claims and questions in controversy between the tribe and the government settled up and closed, though they were satisfied with the tardy justice done, after so long a delay, to the friends and followers of the late General William McIntosh, by the payment of the balance of their claim under the treaty of 1826. They have, as you are aware, other claims and questions still pending, and which is of the utmost importance to their interests and welfare to have settled and closed at as early a period as practicable. It is very injurious to an Indian tribe to have such matters remaining open, and especially matters and claims upon which they expect to receive money. It keeps them unsettled and restless; and, so long as an Indian has expectation of receiving money from the government, he will live upon that expectation, and cannot be induced to resort to anything like labor or exertion to provide comfortably for himself and family. For these reasons, and because justice requires it, I would respectfully express the hope that the department will find it in its power, at an early period, to examine into and finally settle and close all questions and claims at issue between the Creeks and the government, and thus save them the heavy annual expense of sending delegates to Washington to urge and attend to such matters. The department is the guardian of the rights and interest of the Indians, and it is its duty to see justice done to them in all respects; and, when moneys are justly due to them, to see them appropriated and paid. In this connection I would respectfully call attention to the claims of the friendly Creek Indians for their spoliation and losses in what is known as the "Red Stick war," and which the government is under a solemn obligation to have made good to them. The department has fully and unequivocally recognized the obligation and the justice of the claim for the balance remaining unpaid; and it is therefore respectfully submitted, that justice and good faith require that the amount be included in the estimates to be presented to Congress, and that body asked to make the necessary appropriation.

My duty requires that I should bring to the notice of the department the fact that numerous bands of erratic Indians, consisting of Kickapoos, Shawnees, Piankeshaws, and others, making their rendezvous in the south-western section of the Creek country, are in the habit of annually resorting to the Comanche territory for the purpose of hunting and trading. They have, during the last few years, brought with them on their return many Mexican children, which they state they obtained in trade from the Comanches. Several of these unfortunate children have been purchased by Creeks and others living in that section, and by them held in slavery. The object of the Indians, in the first place, in purchasing them, was, in all probability, with the expectation of their being ransomed by the Government.

at a large price; which, however, would be decidedly the worst policy it could pursue, as it would hold out expectations sufficient to cause them to continue their heinous traffic, and offer inducements to the Comanches to continue their forays upon the Mexican frontier, if for the purpose of obtaining captives alone. Steps should be at once taken to cause those already in the country to be given up, that they may be, if possible, restored to their relatives and homes.

For the progress of education and moral condition of the nation I respectfully refer you to the reports of the missionaries and teachers herewith accompanying.

I have the honor to be, sir, very respectfully, your obedient servant,
PHILIP H. RAIFORD,
United States Indian agent.

To Col. JOHN DRENNEN,
Superintendent S. W. Territory.

No. 31.

KOWETAH MISSION, CREEK NATION,
August 25, 1851.

DEAR SIR: I have the pleasure, at this time, of reporting to you the present condition and the progress for the last year of the Creek manual-labor boarding school at Kowetah.

The Kowetah school has been in operation about eight years. It commenced in the year 1843, and has been longer in operation than any other school in the Creek nation. It is unnecessary for me to say that the design of this school has ever been to introduce useful knowledge, and to encourage and promote morals, industry, and the Christian religion among this people. In promoting these good and benevolent objects, we believe it has been, in the hand of God, a very successful instrument. Whilst we have given morality and religion a permanent place in our labors and instructions, and are happy in witnessing the pleasant fruits of those labors in the good behaviour of all, and in the piety of some of our dear pupils, yet we do not forget that the chief information which this report is expected to convey to the department, respects two of the above named benevolent objects, viz: the literary and industrial. 1st, as regards the literary attainments of the pupils for the last year, I would report the following: Before proceeding to give the details, however, I would remark that, owing to sickness in the family last fall, the session did not commence as soon as we had desired and intended by some weeks; as it was, the session commenced on the 11th of November, and continued without intermission, with the exception of two weeks' vacation in April, until the 1st of August, making a little more than eight months' schooling. The school opened with forty boarders and three day scholars, and closed at the end of the term with forty-one boarders and four day scholars. A few vacancies occurred during the term, which were filled with new scholars as soon as possible.

The following is a list of the classes and their progress.

1st class, at the beginning of the year numbering fourteen, reading Old Testament; of these four left during term.

2d. At beginning, numbered three, reading New Testament: one left, and two advanced to Old Testament.

3d. At beginning, numbered eight, fourth reader, (McGuffey's:) three left, and two added, and the class, then consisting of seven, advanced to Hale's history of the United States.

4th. At beginning, numbered six, third reader; two of these were advanced to the fourth reader, fourth reader two added, and class advanced to common reader.

5th. At beginning, numbered three, second reader; one left, and two advanced to third reader.

6th. At beginning, numbered ten, first reader one left, and nine advanced to second reader and New Testament.

7th. At beginning, numbered five, spelling in one syllable, eleven begun alphabet, and advanced into second reader and New Testament.

8th. At beginning, numbered four, begun alphabet, (three added during the year;) these seven read first reader.

9th. At beginning, numbered eight, begun second part of Smith's geography; three left, and the remaining five studied second and third parts, embracing North and South America, and part of Europe.

10th. At beginning, numbered eight in another class; commenced geography during term.

11th. At beginning, numbered sixteen, writing, and ten commenced during term.

12th. At beginning, numbered sixteen, arithmetic, and eight commenced during term.

13th. During term, a class of four commenced studying Smith's English grammar; one left, and the remaining three studied first part and second, as far as relative pronouns.

14th. Nine came in during term, some of whom are beginning to read, and the rest not yet able to read; there are only two who have been here all the term who are not yet able to read, and these are beginning to read.

The present teacher of the school is Rev. Wm. H. Templeton. He took charge of the school at the beginning of last term, and has been sole teacher since that time, and much of the above success is owing to his diligence and success as a teacher, studying the tempers and gaining the affections of his pupils. Besides the above, a Sabbath school has been conducted at the mission every Sabbath, in which Miss Green and myself have assisted Bro. Templeton; and I have been gratified with my success in teaching our pupils music, of which most of them are passionately fond.

2. As regards *manual labor*, we are aware that objections have been made, in certain quarters, that the manual-labor school system does not give prominence enough to the mechanic arts, while they give too much attention to literature. Our reply to this is, simply, that if we had missionary mechanics on the ground, we would go heart and hand with them in encouraging youth to learn trades. But are we mechanics? Are we, whose chief object in visiting this dark wilderness was to instruct the ignorant in the sublime truths of God's word, to ~~close~~ the Bible and school house (because, perhaps, it is a large one) for the purpose of giving our time and talents to the ennobling and important business of teaching Indian youth to build log cabins? No, sir: we feel that we have a higher and nobler work to perform, and the way is pointed out so clear that we cannot err in proceeding straight forward in our good and noble cause of enlightening and elevating

ing the minds of the youth committed to our charge. And if we cannot have immediately every convenience, and the introduction of every useful trade or art that might be desired, let us improve to the best advantage what we now have. Teach the Indian youth the sublime truths of the Bible, store his mind with a correct knowledge of the nations of the earth, and accustom his head and hands to correct ideas about good farming, and we don't fear his ability to steer his future course through life. After all, at the present state of civilization among the Creeks, it is to farming that industry is principally to be directed. The Creek country has a fertile soil, and if this branch of manual labor is only properly attended to, the people live happy invariably. I have noticed that when you see a good farmer among the Creeks, you also see a good house: not a "log cabin," but a good log house; and this, too, where the inmates never learned the carpenters' trade, or any other trade. It is the expansion of the immortal mind that has produced the real happiness of men in all ages and nations. I have observed among the Creeks that, as a general thing, whenever you see a good house and a man, the owner is found, on inquiry, to have been a pupil in a manual-labor boarding school when a boy. It is a principle which reason lays down, and experience proves, that before a savage is capable of practising and enjoying the habits of civilized life, it is necessary for him first to learn and imitate those habits; and they must be done, first, by enlightening and expanding his mind, and afterwards, by instilling into his mind the principles of morality and religion, and by enuring to patient industry. This the wisest dictates of reason, together with observation and experience, show cannot be accomplished among the Creeks by the small day-school system; but, on the other hand, is admirably promoted by the manual-labor boarding-school system. To substantiate this I have only to mention a few matters of fact. Does not all experience, as well as common sense, show that a boy, in order to receive much benefit from his teacher, must be entirely under his control? And this applies as well to teachers of trades as to teachers of letters. Place an Indian boy in a manual-labor school, and he is thus put perfectly under the eye and control of his teacher; the boy is there every day, and the teacher knows where to find him at all times. It matters not what playing, frolics, fighting, drinking, or reveling is going on in the neighborhood, though it be at his own father's house, the boy is obliged to remain at his studies or work, and thus escapes exposure to the demoralizing effects of engaging in such a spree. He is going on in useful acquisitions; and as from time to time he witnesses the peace and happiness which reign in his mission home, and compares it with the wretchedness he has seen at his old heathen home, he soon begins to lose his desire for the latter and clings to the former. But what is the case of the boy who lives at home with his heathenish parents, and goes to a small neighborhood school when he pleases? Think you, sir, that such a boy is under any control? Not the least. I can assure you, sir, that he only goes when he pleases, and stays at home, goes a fishing, ball playing, hunting, frolics, or to a drunken revel, when he pleases: and his parents would as leave put their heads in the fire as to flog or compel him to go to school against his will. Indians let their children have their own way entirely, as every person at all acquainted with them must know; but every good teacher requires his rules in school to be obeyed: and, in order to enforce them, will sometimes be obliged to use the rod, as every person who has taught school must now by experience. But let a teacher strike one of his neighborhood

school boys or girls with a rod, and I am safe in saying he will not see his face in school again for weeks, or perhaps months. I was informed by a gentleman of veracity, now residing in this nation, and who was formerly a teacher of a neighborhood school in the nation, receiving (if I remember correctly) five hundred dollars per year, that for weeks together he had not more than two scholars in attendance. He said he was actually ashamed, and nothing but stern necessity induced him to continue teaching.

Think you, sir, that children thus instructed will ever attain to civilization, or enjoy civilized life? It is impossible. Besides, look at the enormous waste of funds! I have no hesitation in confidently asserting, that the Creek children can be educated at the manual-labor schools for less money than at the neighborhood schools. If you doubt, sir, the correctness of this assertion, let a trial be made, by requiring the teachers, both of the boarding schools and of the neighborhood schools, to keep and present to you quarterly or annually, an exact account of the daily attendance of pupils in school: thus you will soon find that manual-labor schools are the less expensive of the two; in them will be found large regular attendance, while a sad deficiency will be found in the attendance at the neighborhood schools.

Again, it has been objected, that at large manual-labor schools Indian children do not learn the English language fast, for the reason that so many of them are brought together; and the same objectors say, that in the small neighborhood schools the children would learn English faster, because fewer are brought together: but let us consider the facts of the case, and this will be seen to be an entire mistake. I would put the question to any observer of the use of language, how many persons does it require to be together in order to keep up the use of any one particular language? Cannot two or three or half a dozen persons of the same nation, keep up the use of their language, if together, as well as a hundred or more? But it is not true that Indian children of manual-labor schools, are allowed the free use of their own language, as certain objectors to the system would insinuate. Strict rules are enforced at the manual-labor schools, requiring the children to speak English alone when in the presence of the missionaries, and inflicting punishment on those who speak Creek. And what more, I would ask, can be done at neighborhood schools? I believe, however, that no such restrictions are placed on the pupils of those schools: and is it all likely that children, who spend all their time, except the school hours, at home with those who speak nothing but Creek, as the children who attend neighborhood schools do, is it likely that children so situated will learn to speak English faster, or even as fast, as those who are constantly with the teachers in the mission families, where they hear nothing but English, as the pupils in manual-labor schools are?

Again, it is objected that things are conducted on too large a scale at manual-labor schools; that when Indian children go home on leaving school they become discouraged, because they cannot carry on business on the same large scale; just as if a pupil who had attended school for years, and had studied arithmetic and comparison and proportion, could not see that man, according to the laws of nature and common sense, cannot and ought not to do as much as fifty or a hundred. But it is not true that they become discouraged: the contrary is the fact: by seeing and engaging in extensive operations their ideas of civilized life are enlarged, and the disposition created for imitating as far as possible the good farming and other

business which they have seen their teachers engage in ; and instead of falling into idleness and drunkenness, as certain objectors conjecture, they will go out into the nation with expanded intellect, to engage with energy in active life, happy and good citizens and statesmen to bless the land.

Again, it has been objected that at boarding schools so many domestics have to be employed that the attention of the missionaries must be directed to them instead of the pupils. In reply to this I shall just state, in short, how work was done at this station during the past year ; two colored men have been employed on the farm : all I had to do was to tell them in the morning what to do, and they did it without further direction ; they ploughed the corn, and the boys and myself hoed it. I gave my whole attention, morning and evening, amounting to nearly four hours every day, to the boys, twenty in number, teaching them farming. We have farmed well seventeen acres of corn this season, besides a potato patch and garden. The same may be said of the girls, twenty in number, and in the sewing department under the care of Miss Green, and under Mrs. Ramsey in the culinary department, but one domestic, a colored woman, was employed in the kitchen, and the girls did all the work in that department except what this one woman did.

Very respectfully, yours,

J. ROSS RAMSEY,

Sup't of Kowetah school.

Col. PHILIP H. RAIFORD,

U. S. Agent for the Creeks.

No. 32.

TALLAHASSEE MISSION,

Creek nation, August 28, 1851.

DEAR SIR : The following report of the Tallahassee manual-labor boarding school, under the care of the Presbyterian Board of Foreign Missions, of our labor in general among the Creeks, is respectfully submitted.

I regret that circumstances, over which I had no control, prevented me from forwarding you my report of last year in season. I therefore take the liberty of premising a few things.

On the 1st day of January, 1850, a day school was opened. On the 1st day of March a substantial and commodious brick building having been efficiently finished, the boarding school was regularly commenced with thirty pupils, fifteen boys and fifteen girls. As part of the day scholars were chosen as boarders, we had now a school of about fifty pupils.

Since that time the school has been in successful operation. The number of pupils was gradually increasing until 1st of August, 1850, when our numbers amounted to fifty. Our whole number of eighty pupils, forty boys and forty girls, was received at the commencement of the last session, 1st of October, the number it contains at present.

The progress of the children in their studies during the past year, their prompt obedience and kind attention to their teachers, have been sources of much gratification and encouragement.

The following is a list of the classes, together with their respective names.

Reading.

1st class, 7 boys, 7 girls, reading in Psalms and Pierpont's national reader: 2d class, 9 boys, 3 girls, Testament and Eclectic 3d reader: 3d class, 5 boys, 10 girls, Testament and Towers' 3d reader: 4th class, 8 boys, 8 girls, Testament and Eclectic 2d reader: 5th class, 6 boys, 4 girls, Eclectic 1st reader: 6th class, 4 boys, 5 girls, Towers' primer; 7th class, 4 girls, Eclectic primer.

Arithmetic.

1st class, 1 boy, 2 girls; 2d class, 1 boy, 2 girls; 3d class, 33 boys, 3 girls; 4th class, 9 boys, 12 girls.

Geography.

1st class, 5 boys, 7 girls; 2d class, 10 boys, 12 girls.

English grammar.

1st class, 2 girls; 2d class, 2 boys, 3 girls.

Composition.

1 boy, 6 girls.

Thus, in spelling and reading we have 80; 33 in arithmetic, 34 in geography, 7 in grammar, and 7 in writing compositions. The progress of the children has generally been very good, equal, I think, in all respects to what is commonly seen in schools among the whites.

The exercises of the school and station are as follows:

At the ringing of the bell, at early dawn, the pupils rise, make their beds, wash and comb, sweep their rooms, &c. Then the boys engage in feeding the stock, drawing water, cutting fire-wood, &c. The girls assist about the breakfast, setting tables, sewing, knitting, attending to dairy, &c.

Breakfast about seven o'clock in winter, and earlier in summer. Immediately after breakfast we have family worship, consisting of reading the scriptures, singing and prayer; then work for about one hour and a half; recitation and study from 9 till 12: then dinner and recreation till 1 p. m.; then recitation and study again until 4 p. m., when all are required to work again for one hour and a half. Supper about dark; immediately after supper the children and teachers each repeat a verse, or part of a verse, of Scripture; then family worship, as in the morning; then study until 8 o'clock half past 8, when all retire to rest. On Sabbath we have Sunday school in the morning, and usually preaching at noon and night.

At the close of the session, on the 17th day of July, we had a public examination of the school, at which time there was a general attendance of our neighbors, including the principal and second chiefs, the trustees of the school, and other leading men of the district.

The trustees, who acted as examining committee, and the people generally expressed themselves highly pleased and much encouraged at the performances of the children and their evident improvement in study.

The interest of the occasion was increased by an address in the Muskogee language, by Sear Hardage, esq., one of the chiefs, and by the exhibition of some philosophical experiments upon the electrical machine.

The children are contented and happy. The spirit of restlessness and disposition to run home, manifested in the opening of the school, has mostly passed away. They have become attached to their teachers, and feel much at home at the mission.

During the year we have had unusual sickness among the children; about seventy were attacked with measles, and afterwards thirty or thirty-five with dysentery. But through the kind providence of God they all recovered without being materially interrupted in their studies. As to my other labors for the improvement of the Creeks, I would state that I preach regularly at two other places, besides occasionally whenever opportunity offers.

The Tallahassee church has eighteen members in full communion—six Indians, ten whites, and two blacks.

The number of members in the Presbyterian church seems very small when compared with other denominations; but it is easily accounted for when it is known that we are careful to receive none into the church but those who give evidence of being converted.

We are also endeavoring to aid in suppressing the evils of intemperance, by organizing temperance societies on the principle of total abstinence from all intoxicating drinks, and I am happy to inform you that considerable success has attended our labors. Still, however, the curse of intemperance is manifest in every part of the country, and the friends of the Indian are called upon more loudly than ever to exert every nerve to banish it from the land.

I have also been engaged with my interpreter for some months, as time would permit, in connexion with my other duties, in preparing another edition of the Muskogee hymn book. It is now in the press, and will be ready in a few weeks for circulation, and will I hope be instrumental of much good. It contains one hundred and twenty-four hymns, four of which are in the Yoochee language, which is the first attempt, I believe, to reduce that difficult tongue to writing.

Before concluding these remarks I wish to call your attention to the importance of the boarding-school system of education, as the most effectual means of civilizing and strengthening the Indian tribes. After the experiments of day schools which we have had in this nation, it is truly surprising that there should be any difference of opinion at the present time in regard to their applicability to the present condition of the Creek people.

It is urged that the expense necessary to sustain boarding schools is decisive proof against them; that five or six day schools could be established and sustained with the amount necessary to support one boarding school of eighty pupils, and that each placed in separate neighborhoods must necessarily do more good.

This all seems very clear and decisive, provided it was practicable. But unfortunately it is based upon *false premises*. It takes for granted that parents will send their children to school and keep them there regularly and steadily, which is very far from the fact. The Indians are notorious for lack of government in their families: their children are permitted to live their own way. This being the case, it is evident that although the

houses might be built, and teachers employed and placed in them, yet children could not be induced to attend them regularly.

The experience of the past proves the position true, *that the Creeks as a nation are not prepared to sustain day schools.* The missionaries of the different denominations have repeatedly tried them; the government has tried them for many years under different teachers.

Eight years ago, when I came to this nation, as soon as a suitable house could be built a day school was put into operation, with a good prospect as we thought, of doing well; but what has been the result in all these cases? In every instance there has been almost a total failure. As soon as the novelty of going to school was over, and the children became tired of their studies, as all children will, they deserted the school-room and returned to their sports. Now, who is to bring them back? The teachers cannot and the parents will not, and hence they absent themselves at pleasure, returning only now and then, as curiosity may prompt them: thus the school-room is soon deserted, and the teacher left to preside over empty seats. Thus it has ever been, and so it still is in the day schools now in the nation, and with the day scholars attending the boarding schools; and so it will continue to be until the people become more enlightened, so as to appreciate the importance of education, and learn to govern their children.

The testimony of the pioneer teachers and missionaries among the Cherokees and Choctaws, and who for thirty years have been laboring among them, fully corroborates these statements. They tried the day schools at first, but found, as we have found, that they were inadequate to the purpose. They were therefore under the necessity of receiving the children into their own families, where they could govern as well as instruct them, and the great success which has attended the labors of these self-denying and devoted servants of God, so far as education is concerned, is owing entirely to the boarding-school system. Here they found that they would more readily acquire the *English language*, without which but little progress can be made in any department of their education. Here, by precept and example, they were able to teach them the absurdity of the barbarous superstitions, and impart to them much important instruction which cannot be introduced into the school-room.

The business of the school-teacher among the Indians is not simply to teach them a few of the first lessons in reading, writing, and arithmetic; no; his work is more extensive, more responsible. True, this is a part of his work, and an important part; but it is only the beginning of the great work which devolves upon him. He has also to improve their manners, reform their morals, undermine and destroy deep-rooted and enslaving superstitions. In short, he is to lay the foundation of their social, civil, and religious happiness. This, however, cannot be accomplished successfully where the child returns home at night to unlearn with its ignorant and superstitious parents what it learned at school through the day. I am deeply solicitous about this matter, because I have embarked my all in the cause. I plead for the system of boarding schools as most suitable for the people at the present time, not because I am connected with one—not because the Presbyterian board have the oversight of several, (for in no case is there any pecuniary gain, but an actual outlay on our part)—but for them because I am well convinced, by long experience and by the testimony of those whose experience is much greater, that they are the only means which can succeed in the great work to which

I have devoted my life—the *civilization* and *evangelization* of this interesting people.

May our government be directed by Divine wisdom in the decision of this momentous question: and may you, as the agent of our government, be the happy instrument in the hand of God of doing much in meliorating the condition of the Creeks, by greatly aiding in advancing them to an enlightened Christianity, is the sincere desire of yours most respectfully,

R. M. LOUGHRIDGE.

Colonel P. H. RAIFORD,
Agent for the Creeks.

No. 33.

TUCKATATCHE, *August 9, 1851.*

DEAR SIR: I have the honor of informing you of the close of the government school located here and under my charge. The school opened April 5th, and from the beginning has been fully attended. The people have much desired a school at this point, consequently there has been a large attendance.

Though in a new location, many of the pupils were somewhat advanced. The studies of the session were spelling, reading, writing, drawing, arithmetic, geography and grammar. The scholars were arranged in the following classes:

Spelling 12, 1st reader 10, 2d reader 12, 3d reader 8, arithmetic 12, geography 3, grammar 3. During the session 20 of those who commenced in their letters learned to read. The progress in the various classes has been quite satisfactory.

Number present during the session of 18 weeks, 55; average daily attendance, 36. The school being established, some families are locating near for the benefit of their children. The location is healthy. The late improvements give the place an air of comfort and beauty. The parents frequently visit the school, making inquiry as to the progress of their children. In several ways the parents are greatly encouraging their children in their studies, and I have found a readiness on the part of the children to advance in their studies. The school advanced and closed in the most agreeable manner.

Yours, respectfully,

A. L. HAY, *Teacher.*

Note.—School opens in six weeks.

A. L. HAY.

Colonel P. H. RAIFORD.

No. 34.

ASBURY MANUAL-LABOR SCHOOL,
July 1, 1851.

SIR: I take this moment to lay before you my report of the Asbury manual-labor school, for the quarter ending June 30, 1851.

From a variety of causes, some of which I may mention, I have to forego the pleasure of a favorable report. There was a chain of embarrassing circumstances around us during the entire quarter.

In the commencement of the quarter, the measles had reached its height. At least half of our pupils could not attend to their appropriate duties. About this time one of the national schools was opened near us. This took from us about fifteen of our most promising pupils: their parents, and the people generally, having a decided preference for the national or neighboring school system. From some cause the board at Louisville did not favor me with their co-operation during the quarter, and to my great mortification our missionary secretary wrote to me in a style which made me feel very much embarrassed.

While contending with difficulty after difficulty, and the *low juggling* of one man, whose name I need not mention, there came a wind-storm, which, in its ravages, closed our troubles, already too grievous to be borne. The wind alluded to shook our house to the foundation, causing the walls to crack from top to bottom in several places. This alarmed the inmates of the institution. The teacher would quit, the people would have their children away. I would not (it was unsafe) remain any longer with my family in the cracking house: hence, on the 28th May our school broke up in great confusion, never, as I judge, to commence again.

From what I have said, you will see that, during the quarter, we accomplished very little good. It was necessarily so.

When the school closed, I was forced to abandon a portion of our crop. I had not the means to employ hands to carry on the farm as I had it laid off. I could pay but one hand.

I am doing with the farm the best that I can, and am waiting for instructions from the board. Should our house not fall, a great deal of repairing will have to be done in order to its re-occupancy. For some weeks before we abandoned it, we were obliged in every rain to set buckets in the rooms to save the plastering below from the water which fell through the roof.

I have informed the board of what has taken place here, but have not yet heard from them on the subject.

I hope you will find the accompanying papers such as you can approve.

Respectfully, yours,

JOHN M. JARNER,
Superintendent A. M. L. school.

To the Hon. LUKE LEA,
Commissioner Indian Affairs, Washington city.

No. 35.

COONCHATTA SCHOOL,
August 28 1851.

SIR: In accordance with your instructions, I offer the following as a brief account of the school under my charge at this place.

The school was opened on the 10th March last. I will here remark, that this place is far in the interior of the country: is considered a comparatively densely populated district, of full blood Indians principally, who

have never had the opportunity of educating their children. I began with sixteen scholars who all commenced in their letters; it has continued gradually increasing up to this time, when it consists of twenty-seven in constant attendance—seventeen boys and ten girls; they commenced in King's infant and primary school reader and definer, No. 1; it contains about one hundred pages in words of two and three letters. Most of the children have repeatedly gone through this book. My object in keeping them in it is to get them thoroughly to understand the first principles of the English language before they advance farther. I cause them to read in sentences, and then explain in the Creek tongue. They thus learn English as they progress.

All of the scholars, with the exception of two, who remain in the A B C, can spell and read. I have suffered lately from a severe spell of sickness, which prevents me from making a fuller report.

I am, sir, very respectfully, &c.,

DANIEL B. ASBURY.

CABEEL RAIFORD.

No. 36.

CREEK (OLD) AGENCY, *August 8, 1851.*

DEAR SIR: I have the honor to submit to you the following report of the "government neighborhood school," located at the Creek (old) agency. The school was opened on the first of January, and closed on the eighth of August, 1851. The school will be opened again on Friday, the 19th of September.

The studies during the period were—the alphabet, spelling, reading, writing, arithmetic, geography, defining, and composition. The progress of many of the scholars during the term was creditable.

Yours, respectfully,

DAVID W. EAKINS.

C. P. H. RAIFORD.

No. 37.

CHICKASAW AGENCY, *September 1, 1851.*

SIR: The very recent period at which I came into office will, I doubt not, be a sufficient apology for any deficiencies that may occur in the annual report it devolves on me to make, under the regulations of the department, from this agency.

My appointment took effect the first day of July; but, owing to a severe attack of sickness on the way, I was unable to reach my post until near the close of the month, and then in such feeble health as to render it inexpedient for me to enter actively upon my duties.

The present condition of the Chickasaws is far from being favorable to their prosperity and happiness, and I find that the minds of many of their best men are painfully awakened to this conviction.

By the terms of their contract with the Choctaws for the privilege of

settling in the country, although a portion of the territory was nominally set apart for them, known as the Chickasaw district, still the whole country was thrown open to the common use and occupancy of both parties; and a large portion of the Chickasaws, particularly the wealthier, who owned slaves, from considerations of policy, settled among the Choctaws. The result is, that they are now widely scattered over the whole nation.

This makes the administration of their affairs peculiarly difficult, and renders any application of their funds for the general good necessarily partial and unequal in its advantages. The effect of such a state of things upon their progress and improvement must be apparent.

But there is another cause yet more seriously operating to depress their energies. They are dissatisfied with their present political connexion with the Choctaws; there is, I find, a deep and abiding feeling on this subject; they believe themselves oppressed and down-trodden by their more powerful copartners in the government.

The Chickasaws number about one-fourth as many as the Choctaws, and the depressing influences of such a conviction are plainly visible in their conduct. They act as a people who feel as if they had no country. Restless and dissatisfied, they are continually breaking up their homes and seeking new locations; and the same unsettled and distracted spirit pervades their councils and mars their public enterprises. For evils so momentous there must be found a remedy, or the Chickasaws must perish.

The anomalous connexion first formed between these two tribes, each having distinct interests in regard to all their money affairs, was of itself calculated to perpetuate and keep alive their national distinctions. Their association, therefore, has tended rather to alienate than unite them; so that, if amalgamation were ever possible, it is now rendered more difficult, if not wholly impracticable.

That measures of some kind will be taken by the Chickasaws ere long for relief from evils so impending and calamitous to them as a people I have no doubt, and I would respectfully present their case, as the agent of the government charged with the supervision of their interests, to its favorable consideration.

The number of Chickasaws now settled in this district is about 3134, or two-thirds of their whole population; many are moving in this year; but the Choctaws, having equal privileges, are also occasionally settling in the district.

The Choctaw country is a rich and beautiful one, and ample for the uses of both tribes for almost countless generations.

The Chickasaw academy, so long in progress of erection, went into operation in the early part of the summer, under the superintendence of the Rev. Mr. Robertson. There were about sixty pupils during the few months it was in session; but the institution is designed to accommodate one hundred and twenty. They are to consist of an equal number of males and females: and, in addition to their scholastic pursuits, the males are to be instructed in agriculture, and, as far as practicable, in the mechanic arts; and the females in housewifery, needle-work, and domestic industry. The allowance for each pupil, including board, clothing, and other expenses, is seventy-five dollars per annum.

This academy is under the patronage of the missionary society of the Methodist Episcopal church south, which contributes one-sixth of the cost of its support. The remainder is defrayed by the Chickasaws out of their

national funds. Much good may reasonably be expected from this institution, under the management of its present worthy and accomplished principal.

The buildings for the female labor school, under the patronage of the board of foreign missions of the Presbyterian church, are nearly completed, and are expected to be ready for the reception of pupils in the ensuing spring. The buildings are of the most substantial kind, being of stone, neatly laid, and reflect great credit on the skill and energy of Mr. Allen, the agent of the board, who has their direction and management.

There have been six neighborhood schools in operation in the district during the year, which have proved highly satisfactory. The teachers, with perhaps a single exception, are said to be well qualified for their duties. These schools are free, their expense being defrayed out of the funds of the district. The whole number of pupils in attendance at these schools, I understand, has been about one hundred and eighty.

I am gratified to find that the Chickasaws duly appreciate the importance of education, and if they could only be brought together in compact communities, so as to avail themselves profitably of their ample funds, and be relieved from their present political troubles, they could not fail to become a prosperous and happy people.

I am not apprised of the extent of missionary labors in this district, but should think the field an inviting one. The Chickasaws are of a kind and tractable disposition, and their confidence may be easily gained by men of proper character.

The trade in whiskey, I regret to learn, seems rather on the increase. It is principally in the hands of low Indians, who draw their supplies from trading houses in Texas. Can nothing be done to arrest this evil; will not neighboring States co-operate, by legislation, to suppress it? It is the fruitful source of degradation and crime to the Indian. Let the appeal be made.

The farming of the Chickasaws might be much improved by the use of larger ploughs for breaking up their ground. The plough now used is of the smallest description, scarcely more than sufficient for a proper after working of their crops.

Their corn crop this year suffered considerably from a long drought, the effects of which I am satisfied would have been greatly mitigated by deep ploughing.

The country they occupy is an admirable one for farming purposes. The soil being rich, and generally free from stone, is easily cultivated. Corn is the principal crop, which abundantly rewards the labor bestowed upon it. It also produces the finest of wheat, weighing from sixty-five to seventy pounds to the bushel; but for want of proper mills to manufacture it into flour, the quantity raised is limited. The mills commonly in use are horse mills.

A considerable quantity of cotton is also raised by the more wealthy, who own slaves.

As a grazing country, likewise, it is unsurpassed. The extensive prairies, clothed with luxuriant grass, are capable of sustaining innumerable flocks and herds throughout the whole year. This is to become a source of great profit to the Chickasaws. The demand for cattle, even now, is considerable from the States. Their resources might further be greatly added to by raising a larger breed of horses and mules; and it would undoubtedly be a fine country for sheep, the few that are found here, although of the common kind, being of remarkable size and quality.

The public smith shops have been fully employed in work for the farmers, and I presume have been conducted satisfactorily, as no complaint has reached me.

The agency house is a small one-story log building, with four rooms, and a large open passage through the centre. It is pleasantly situated in a clump of forest trees on the edge of the prairie, six or eight hundred yards west of Fort Washita, and near to a fine spring of soft limestone water. The building is neat and comfortable for this country, but requires some repair; a portion of the roof and portico especially ought to be renewed, and the doors and window frames painted; some repair is likewise necessary to the out-buildings. I would respectfully ask, therefore, for authority to do what is needed for the comfortable occupancy of the house and the preservation of the property. It would probably require about three hundred dollars to make these repairs; the cost of materials, living and labor of all kinds being nearly double what they are in the old States. The land reserved for the use of the agency is a mile square, but there are not exceeding fifteen acres now enclosed for farming and gardening purposes. Formerly there was a much larger quantity, but the fields have been contracted or late, as the rails were consumed by fires from the prairie.

It appears that the enclosures and other farm improvements were constructed by an agent, who held the office for a long course of years, at his own cost, and were sold to his successor as private property. Under the system of short tenures, therefore, it is obvious the farm must soon run to waste, and the reservation, as an emolument of the office, become comparatively worthless.

The late period at which the annuities have been paid for some years past, often in mid-winter, is a cause of serious complaint with the Chickasaws. The weather is usually inclement at that season, and the exposure to which it subjects the weakly and the aged, who have to travel long distances and camp out, is almost invariably productive of much suffering, and often loss of life. The fall would be a far more appropriate time for these payments, if it could be so arranged, as the Indians might then apply their money to making provision for their comfort through the winter.

My predecessor, Colonel Long, informs me that no funds were provided to meet the expenses of this agency for the last two quarters, ending the 30th of June, and consequently all the claims accruing within those periods are still outstanding.

What may be the exact amount of arrears I have no means of ascertaining satisfactorily, but presume they are nothing more than the ordinary current expenses. Applications for payment of some of those claims have been made to me, which I could not honor. I would respectfully request, therefore, that the necessary funds be provided for their payment, and also to meet such expenses as they accrue, quarterly, in accordance with the regulations.

The usual amount allowed for this agency, with the addition of three hundred dollars for the repairs recommended to the agency house, (if approved,) I presume will be sufficient to meet the expenses of the year.

With high consideration, your obedient servant.

KENTON HARPER,

United States Agent for the Chickasaws.

COLONEL JOHN DRENNEN,

Superintendent Indian Affairs, Fort Barry, Arkansas.

No. 33.

NEOSHO AGENCY, *September 11, 1851.*

SIR: I have the honor to submit the following brief report of the affairs and condition of the Indian tribes connected with this agency for the year 1851.

I arrived at this place on the 30th day of June last, and entered upon the duties of my appointment the day following. Owing to my ill health, and the short period I have had charge of this agency, it cannot be expected that I could make myself very familiar with the wants and condition of the four tribes under my care. Nevertheless, I have spared no pains to make myself acquainted with their affairs, and to give them such advice and instruction as I deemed necessary and proper.

Having received instructions from the department to relieve Major A. J. Dorn, late Neosho sub-agent, and Mr. Henry Harvey, late Osage sub-agent, without any specific instructions at which of the two sub-agencies to reside, I have thought proper, until otherwise directed, to remain and occupy the Neosho sub-agency in the Seneca country, it being the most healthy, comfortable, and convenient place.

The tribes under my charge are the Senecas, the Shawnees, the Quapaws, and the Great and Little Osages. They all manifested great anxiety to see me and make my acquaintance, and to hear what I had to tell them from their "great father," the President. Making as little delay as possible, I visited each tribe, held a council with each, and became acquainted with their chiefs and headmen. I found them all enjoying good health, at peace with each other and the neighboring tribes. No year since their emigration to this country have they enjoyed better health; although the citizens in the neighboring counties of Missouri are now suffering greatly with chills and fevers, with bilious and congestive fevers, yet the Indians are almost exempt from them this year. Few deaths have occurred among the Indians the present year. I suppose each tribe will number about the same they did last year, having had no contagious or malignant diseases among them, and but few casualties of any kind.

From my own observation, and the information I have derived from my predecessor, Major Dorn, to whom I am indebted for his kindness in communicating to me any information in his possession relative to the Indians and their affairs, I am induced to believe that the Senecas, and the Shawnees, are making some advancement in agricultural pursuits, and who, in a few years, with suitable encouragement, would become an agricultural people. Many of them this year have enlarged their farms, repaired and built new fences, and erected comfortable log-houses. I know of no Indian family, belonging to either of the two tribes, who have not a comfortable cabin to dwell in. Their stocks of horses, cows and hogs are sufficient for all necessary purposes.

Their country is well adapted to the growing of stock. The summer range is almost inexhaustible, and in winter the creek and river bottoms afford grass and pea vine sufficient to winter their out-horses and cattle. Many of them cut and cure a large amount of prairie grass, which makes good hay, and assists them greatly in wintering their stock.

The present year has been very favorable for an abundant crop. All who have cultivated their corn fields well, will be amply rewarded. Corn is the principle grain they cultivate, though many of them raise wheat and oats,

the yield of which the present year has been very good. Potatoes, beans, peas, pumpkins, and melons are raised to a considerable amount, and constitute the principal part of their subsistence at this season of the year. Many of them will have a surplus, especially of corn, and with proper economy will have enough to do them through the approaching winter, and until another crop matures.

The Senecas, and the Senecas and Shawnees, have no schools or missionaries among them, and many of them oppose their introduction. I have found but one of their leading men who is in favor of educating his children. It cannot be said that they have made much progress in civilization. They are kind and courteous in their intercourse with the whites, and if they had the advantages of education dispensed among them, they would soon become as intelligent and respectable as any tribe on the frontier.

It affords me pleasure to say that I have not seen a drunken Indian since I have been in the Indian country. The Senecas, and the Senecas and Shawnees, drink less liquor than any Indians I am acquainted with. Many of their principal men live up to the injunction, "touch not, taste not the unclean thing," and I learn that some are members of the Temperance society. Upon all suitable occasions I have endeavored to portray the evils resulting, especially to the Indians, from an indulgence in the use of intoxicating liquors, and hope that I shall do some good in suppressing a vice so destructive to their race.

The mill built by the government for the Senecas has been almost entirely useless to them the present summer, owing to the dilapidated condition of the dam. I have been endeavoring to prevail upon the Indians to repair or rebuild it themselves, which they seem inclined not to do. I have suggested to them the propriety of appropriating an amount out of their annual sufficient to rebuild it: to this they appear reluctant to consent. The cost would be very trivial, compared with the advantages that would accrue to the nation from it. It would doubly repay them in twelve months for the expenditure. The toll that would accumulate, if it was repaired and kept in constant operation under the control of an industrious, careful, and honest white man, would be sufficient to supply them with bread one-half of the year. Would it not be an act of charity in our government, that has always acted so liberally towards the Indians, to bear the expense itself rather than see so valuable a mill go to destruction.

I regret to say that there has been but little improvement among the Quapaws, and that they may be said to be in *statu quo*. They have not made that rapid advancement in civilization which many of the reports that have emanated from this office would indicate. Under the circumstances surrounding them, I am inclined to think that they have made less improvement than any tribe who have had similar advantages. The Crawford seminary has been established and in operation in their country about ten years, and but few, if any, have yet embraced the Christian religion. They still adhere to all their ancient customs and superstitious notions. The Rev. Samuel G. Patterson has been missionary and superintendent of this institution from its organization to the present time. He is also presiding elder of the Methodist church in the district composed of the Indian country. The school has not been in operation since I have been here. Mr. Patterson left on his quarterly tour a few days after my arrival, and was absent about one month. When he returned home, he notified the Indians that the next session would commence, and requested them to send

their children. None made their appearance at the time designated. He has visited the chiefs and headmen several times in person since, and used every persuasive argument to induce them to send their own children, and to influence others to do so. His efforts thus far have been unsuccessful. I have had no opportunity to examine the children who have been sent to school, and to satisfy myself about the proficiency they have made in their studies. For further information upon this subject, I beg leave to refer you to the report of the superintendent herewith transmittted.

The Quapaws have for several years been furnished by the government with a farmer to instruct them in agricultural pursuits, but they have not made much improvement in this necessary and useful occupation, which has been the result of indolence in a great degree upon their part. I have heard no complaints from the Indians against the present incumbent, and presume that he has been of some service to them. They have cleared and cultivated more land this year than usual for them, and will raise a much larger amount of produce. Their prospect for a supply of breadstuffs to do them through the ensuing year is better than heretofore. Those of them who do not cultivate the soil generally make an annual hunt upon the "plains," and return laden with peltries and such other articles as they can procure. They own some horses, cows and hogs. They still are inclined to drink liquor, and frequently indulge in this vice so pernicious to them.

I have visited the Osages twice. Upon my first visit to them I found but few of them in their own country; they had not returned from their summer hunt. When I again visited them they all had returned, without making a very profitable hunt; they procured but little buffalo meat and tallow, and but few robes or peltries. I learned from one of their chiefs, that the cause of their returning so soon was the fear of a difficulty with the Comanches, with whom they met on the "plains." He also told me that he saw a white boy, about ten or twelve years old, with the Comanches, whom they held as a prisoner. The Osage chief, Tally, offered the Comanche chief a robe for him, but he refused to sell him at any price. The Osages still pursue the chase for a support, and make but little exertions to obtain it otherwise; they go in pursuit of the buffalo twice a year, spring and fall. In consequence of their destitute condition at this time, they will be compelled to set out earlier this fall than usual. The great scarcity of provisions among them will force them to consume the present crop, which is very small, before it arrives at maturity; and, consequently, they will have to leave at an early day, or be in a state of starvation.

The half-breeds and the principal chief, George Whitehair, have commenced farming with a commendable zeal. Whitehair's example will have great influence with the Indians; he has not only commenced farming, but he has doffed the Indian costume, and now appears in the white man's dress. Many of them have, as usual, planted small patches of corn remote from their lodges, without any fencing around them, which the squaws cultivate entirely with the hoe. Some of them say that they wish to commence farming, but they cannot without oxen and ploughs to break their fields, and other implements to work with. They know that they will ultimately have to commence cultivating the soil for a support; that the buffalo is rapidly disappearing, and that sooner or later they will be compelled to abandon their present mode of living. As long as they remain in towns, as they are now, they will do but little good at farming; and I doubt much if the

present generation can be induced to abandon a custom they have so long practised.

The Osages manifest a good deal of interest upon the subject of education: many of them appear anxious to educate their children. In council one of their chiefs said to me, that the only way to civilize the *Wich-sha-shees* was by educating their children: that their grown men would never forsake their Indian customs and habits. I herewith transmit a memorial from the chiefs and headman upon this subject, which was handed to me by War Eagle when he arose to make a speech in council. In relation to this subject I beg leave to say, that, in my opinion, a school located at Clarmore's village would effect much towards civilizing them. I doubt whether the Little Osages have arrived at that point to be greatly benefited by such an establishment; they yet like to roam on the "plains," and are almost as wild and uncivilized as the Comanches, with whom they frequently associate.

I have had the pleasure of attending an examination of the pupils both in the male and female department of the manual-labor school, now in successful operation in the Osage country, under the superintendence of the Rev. Mr. Schoenmaker. It gives me great pleasure to bear my humble testimony in favor of the manner in which this institution is conducted, and I doubt if any school is exercising a more benign influence over the Indians than this one. The pupils are making rapid advancement in their studies, are well fed and clothed, and appear to be happy and well satisfied. I have not received a report from the superintendent, but presume that I will in a few days, and will forward it.

The Osages have expressed to me a great desire to receive their annuity before leaving on their fall hunt. Unless they receive their annuity, or the traders will furnish them an outfit upon credit, I cannot see how they are to make their hunt, or escape the most extreme suffering. They are destitute of provisions, blankets, clothing, ammunition, and, in fact, every thing they require for such an excursion.

I have heard of but little whiskey having been introduced into the Osage country the past year: none, except what they themselves have packed in upon mules from the States. I think there has been less dissipation among them the past summer than usual.

In my intercourse with the Osages I have found them polite and courteous, and apprehend but little trouble with them, if uninfluenced by others.

It has been represented to me by the principal chief, George Whitehair, that one of his band was murdered on the plains during their last hunt, as he supposes, by the Sacs. At his request I have written to the agent of the Sacs, and, through him, proposed that a council be held by the two tribes, in order that this unfortunate affair may be settled without the further effusion of blood.

The employees of the government in this agency, as far as I have had the means of ascertaining, have discharged their duty to the satisfaction of all concerned.

Very respectfully, your obedient servant,

W. J. J. MORROW,
Indian agent.

To Col. JOHN DRENNEN.

Superintendent Indian Affairs, Fort Bureau, Arkansas.

No. 39.

CRAWFORD SEMINARY, QUAPAW NATION,
September 10, 1851.

SIR: The school under my charge opened at the commencement of the year with thirty scholars, twenty boys and ten girls, and progressed pleasantly during the winter and spring. We have, however, met with the usual hindrances in the prosecution of our work the past summer, that it has been our lot to contend with, to a greater or less extent, every year since the school began. In the summer season, when melons are ripe, and corn and fruit abundant, the little fellows take the liberty to spend some time at home; and such is the want of family government, and so little is education appreciated by their parents, that they are seldom required to return to the school until their scanty fare is exhausted, and want drives them back. We sometimes almost despair of ever accomplishing much toward christianizing or even civilizing this people; and yet, when we contrast the past with the present, finding some improvement, we hope on, and "try again."

Notwithstanding our progress in this important work to us seems slow, yet we have the pleasure of seeing a number of young men, among whom is the present United States interpreter, whom we found ten years ago in the wild woods, naked and hungry, and took them up, fed, clothed, and instructed them, now capable of reading, writing, and speaking the English language, and adopting the habits of white men, and in point of morality are in advance of many of our white young men in the States.

We are upon the whole encouraged to work on, hoping by the blessing of God to train others in the way they should go, and have the happiness of seeing at least a few of those who have long "sat in darkness" enjoying the light of the gospel, and the comforts of the Christian religion.

Very respectfully, your obedient servant,

SAMUEL G. PATTERSON.

D. WM. J. J. MORROW,
United States Indian Agent.

No. 40.

WASHINGTON CITY, October 25, 1851.

SIR: In conformity with the regulations, I have the honor to report on the condition, &c., of the Seminoles during the past year.

They have continued their friendly relations with all other tribes, and nothing has occurred in their intercourse with the whites that is in any way unsatisfactory, or which requires notice, nor is there any change in their personal condition which is worthy of remark.

Their numbers continue to decrease, as appears by the pay rolls.

Shortly after last year's report, Wild Cat (Co-wock-koo-chu) returned from Mexico on a visit, and induced about forty men with their families to accompany him to the Mexican side of the river Rio Grande. You were informed at the time of his acts in the nation, and since then, no doubt, have as correct information of his purposes as I could give, and

derived in all probability from those nearer to him and better acquainted with the fact than myself.

The crops this year are unusually small, owing to the unprecedented drought; yet I presume there will be sufficient for their subsistence if the Indians will use proper economy.

There is little or no disposition among the Seminoles to have their children educated; if they are willing to send them to school, it is to have them clothed and fed.

Whiskey is still introduced and used in great quantities by the Seminoles; if there is any change among them in regard to the use of it, I regret to say, it is for the worse.

Their unwillingness to submit to Creek laws or Creek authority still continues; and their suspicions and jealousy are frequently aroused by some impolitic move made by the Creeks, when the greatest caution and forbearance should be practised in all their acts, if they ever desire the Seminoles to become incorporated with themselves as one people.

As regards the union of the two tribes, it depends on many contingencies whether it ever can be effected to their mutual satisfaction. Should it be done by the United States government by the withdrawal of one of the agents, without first obtaining the consent of both parties, it will be at the risk of producing difficulty, when it is the interest of the government to have peace.

The Seminoles and Creeks were originally one people; from disagreement and dissatisfaction among them divisions were created, and the Seminole (as his name indicates, "runaway or wild") departed from their midst, and took up his abode further from the whites and beyond the jurisdiction of any law save his own, which was the "old custom of old time people." It was this indisposition to submit to Creek laws, innovations on their old customs, or to the administration of them by the stronger party in the Creek nation, which induced them to leave the "country of their fathers."

This separation, involving as it does very frequently, the right to certain property, has always been the cause of much jealousy between the two nations. Frequent wars or incursions by the Creeks after slaves, whom they took by force or stole off, widened the breach between them; and in each of our campaigns against the Florida Indians, Creeks have been our allies, caused, no doubt, more by their hostility to the Seminoles than any love for the whites.

These things the Seminoles knew; and further, they look upon their operations under General Jesup in the Florida war of 1835, 1836, &c., as a direct effort on the part of the Creeks to subjugate them as an independent Indian tribe, to make them dependent on the Creeks, subject to their laws, and under which they would be deprived, not only of their position as a nation, but also of their property as individuals.

These, sir, are some of the objections of the Seminoles to submitting to Creek authority, in which even you, removed so far from the nation, may see some cause for caution, if not alarm, on the part of the Seminoles, to being placed entirely at the mercy of a much larger tribe. And judging from your knowledge of Indians, how much mercy might be expected when they have the physical force to exercise their legal power, more particularly when said exercise of power will gratify their prejudices; and knowing, also, with what determined tenacity the Seminoles are notorious for adhering to what they consider their rights, you will perceive what reason

there is to fear that quiet will not exist in the Creek country should the Seminoles be forced, by the action of the United States government, to come under Creek laws without their own consent being first obtained.

At this present juncture there is a subject before them that also occupies considerable attention from our own government, in which they see, for the first time since their treaty of 1833, the prospect of obtaining what they believe to be their rights as a people—separate organization under their own chiefs, or a participation in the land of the Creeks on equal and just grounds—such a union as will give them security against the encroachments of a larger tribe. I refer to the emigration of the remnant of their people now in Florida. The Seminoles, although unenlightened, have sufficient natural discernment to perceive the effect of such removal, and the importance of it to the government, as well as sufficient shrewdness to profit by the position in which they are placed in reference to such removal. They are perfectly aware of the importance to the government of their co-operation. The failures to remove those people, and the means by which all those west were removed, is known to every Seminole. They know the amounts which were offered by General Twiggs to those in Florida, and the failure *after such offers* to induce removal. They know that forcible removal by the United States troops is out of the question, cost what it may. Indeed, that such policy was abandoned, and considered hopeless by those employed to carry it out. In fine, they know that, if done at all, it can only be through their co-operation. Hence it is they perceive, in the removal of the Florida Seminoles, the means whereby they may claim from the government that position as a nation, and that protection in their rights, which they deem of the first importance. With a full knowledge of all the difficulties in the way of removal, the large amounts which must be paid, having once been offered to those now in Florida, the almost insuperable objection to leaving that country, and all other objections, they are willing to assist, and confident of succeeding, in the emigration of their brothers in Florida, if the government will comply with certain of their desires. They are so confident of success, that I was authorized by them to say, that they would make their removal entirely conditional on their success. The only risk to the government, even should their plans fail, will be the small amount (comparatively) required to pay the expenses of a national delegation from the west. For the fidelity of such delegation as may be selected and appointed from those west, I have no hesitation to vouch.

The western Seminoles are unwilling, however, to assist in removing those from Florida, if they are to be a source of trouble after removal, which they would be, without some provision being made for an increase in their annuity.

They have seen the bad effects of placing in the hands of emigrants the whole amount which they are to receive at one payment. This was done with the late emigrants, under the promises of General Twiggs and Captain Casey. The Indian being possessed of an amount so much larger than he ever had before, spends it for any thing and every thing. It encourages that natural feeling of extravagance and improvidence for which the Indian is proverbial; he becomes more lazy and dissolute, with his extravagance; and when his money is gone, is utterly depraved and worthless, having lost what little disposition or willingness to labor he naturally had. He then becomes clamorous for an interest in the annuity to which, by treaty, he has no claim, and which the older emigrants object to, as it reduces the

already smallittance which they receive on a division of their annual dues from the government.

The annuity of the Seminoles (numbering twenty-five hundred now west) is three thousand dollars in money, and two thousand dollars in goods, for a period of nine years yet. The nation, feeling how necessary even this small amount is to supply many of their necessities, cannot be expected to divide it with others having no claim; yet if they do not, dissention will be the consequence, should the number of emigrants be sufficient to form any considerable party in their tribe. It is, therefore, imperatively necessary so to emigrate the Florida Indians, that the nation west should be interested pecuniarily, or satisfied by the promises of those in authority that the government will deal with them liberally and grant their requests, in the event of their using their influence in good faith, in assisting those empowered by the government to conduct such removal.

There are also reasons why they desire the removal, independent of any pecuniary interest, or of that natural feeling which they, in common with all people, must have to be re-united in one nation with their relatives by blood. The increase of numbers will increase their importance with other tribes adjoining, and give more stability or fixidity to their own organization. As those in Florida are remnants of all the bands west, and among them many persons who, on a re-union, will be entitled to certain hereditary positions in the various bands west, which are now temporarily occupied by relatives who cannot exercise all the rights of said positions, except under certain restrictions.

Knowing that the removal of the Florida Indians is of great importance to the United States and also to Florida, I have constantly endeavored to keep up that interest in relation to it among the western Seminoles, that would be of benefit to the government at a proper time, and also meet the reasonable views and interests of the Seminole nation; I have from the first been of opinion that it was through them alone the emigration could be entirely effected, and am yet of that belief, formed, as it has been, from information derived from the Seminoles themselves.

I do not assume that I am likely to be nearer a correct view of the subject than others would be, had they the same information or the same advantages for collecting it; and believing that the transmission of such views, with my reasons therefor, was a part of my duty as an agent, I have on several occasions so expressed them to the department, confiding in the judgment of the head of the Indian bureau as to the best means of making use of information so given, together with that collected by him from other sources.

In a communication from the Seminoles, through Colonel Drennen, superintendent, &c., dated August last, you were informed more particularly of their wishes; their remarks were put down as given by them at the time, and I therefore respectfully refer you to said communication as covering the ground which I should occupy in detailing their views on the emigration.

There are those, and many I am aware, who say that the Seminoles cannot be removed, and others that "they ought not," as "the Florida peninsula is worthless except for them," &c.; and among those who so write and speak are some who have been engaged by the government in endeavoring to effect their removal, and, having failed themselves, believe that nobody else can succeed; thus may all be from correct judgment and a due

appreciation of the difficulties, yet it may also be from other causes; and, by way of suggestion, I would respectfully inquire of the department if it is prudent to employ persons in the removal of those Indians when success would be directly at variance with their publicly expressed opinions, and not tending to add to their reputation for judgment or discerning foresight, and when the success of that policy which may now be adopted, would clearly prove the impolicy of the course heretofore pursued?

It is true, delegations have been used before, yet they have acted subordina- tely to a military force, the very presence of which deprived them of that position towards their "brothers," which it was their wish to occupy, and in which was their true efficiency; and notwithstanding the presence of such a force, all who have yet been peaceably removed to the west excepting the first emigration, who sided with the whites at the opening of the war, have been induced to emigrate through the influence of others of the tribe.

I may, however, as well as many others, be mistaken in my views; many plans have been adopted and failed, and the efforts of a national delegation, acting under the direction or rather in the confidence of the Commissioner of Indian Affairs may fail; yet what better can be done? This may succeed: there is some probability in it, and at the worst will cost nothing in comparison with many other experiments and plans to effect the same object.

Further; this arrangement will be but carrying out the plan, already partially entered upon by yourself, which has assisted to bring to light other influences, and stronger ones than were anticipated, which may, with the proper authority, be used in effecting this desirable object. The agent, under your orders, endeavors to get Indian influence to assist in the removal. They decline, unless government will make certain necessary stipulations or give certain assurances; yet, in declining, show a willingness and perfect confidence in performing the service for government on certain conditions. Those conditions cannot be complied with on the part of said agent employed; he has not the authority or means; yet at a small cost they can be complied with by government. Is not the object worthy of the effort? I think so, and have, as nearly as I can in this report, given my views, which I am in hopes will be sufficiently explicit to satisfy you of the propriety of giving such further instructions in reference to this subject as will meet the views of the Seminole nation west, and thereby insure their active co-operation in assisting in the removal of those yet in Florida.

In favoring the employment of the western Seminoles, it has not been my purpose to suggest that unlimited power be given them as commissioners to treat with the Florida Indians, or to make larger offers of money than the department would approve; nor is such the desire of the western Seminoles themselves. They desire that a perfect understanding should exist between the department and themselves, as to the relative wishes of each to establish mutual confidence.

They would rely confidently on the promises of the department after such mutual understanding, and would have the department to rely on their management simply in carrying out the views of the government after such interchange of wishes.

The objection which they have (or had) to engaging in this service under the promises of the gentleman entrusted with its accomplishment is this: that he is not authorized to assure them of the fulfilment of their

wishes, even if successful in the emigration; that he cannot even guaranty the increase in their annuity which they require; and were he able to pay them a sum the investment of which would produce in interest an amount to meet their demands, they would desire such sum should be guarantied by the government.

But so far from his being able to pay such amount to the western Indians, independent of their other requirements, it will be barely within his power with good management to meet the former promises made to those now in Florida, and pay the other expenses of removal. Not by far the least of the embarrassments in future negotiations with these people will be found the promises heretofore made to them.

They were promised by General Twiggs and Captain Casey the sum of five hundred dollars per head for each man or boy capable of bearing arms; for each woman and child per head one hundred dollars, the government to subsist them one year after arriving at their new homes; to pay for cattle, hogs, crops, and all property abandoned or left behind; make presents of dresses, blankets, &c., before starting; pay all expenses en route: have physicians with them, &c.; and, in addition to all this, there were various sums offered to individual Indians, ranging on certain conditions from one to ten thousand dollars.

All men who are acquainted with Indians will bear me out, therefore, in the reasonableness of calculating that in future negotiations those sums and conditions will at least be demanded, and the probability is more, as the reply of each Indian will be, "I was offered that before, and would not take it: you must give more." And, sir, it is to induce them to take that, and more too if necessary, that the influence of the western Indians must be used; and they must, in turn, be enabled to give good reasons, such as annuity, &c., to prevail on them to accept what is offered.

The delegation should not appear as the employees of government, but as the representatives of the western nation, who, being anxious to re-unite their people, regain their position as an independent Indian tribe, and add to their annuities for the benefit of those in Florida as well as those west, had, for such purposes, desired the government to authorize a delegation from the west to consult with them, and to assure them of the fulfilment of former promises, as well as granting those benefits which would obtain to all alike, should they agree to remove: by doing which they would make a treaty far better than any heretofore made by them, and one which would benefit their remotest posterity by providing a perpetual annuity.

To effect the desires of the government and also western Seminoles, I am sure this position is much preferable to that of the government supplicating, buying, or hunting the Indians in the swamps of Florida, or to leaving them there to be a constant annoyance and source of alarm and disquiet to the white residents, notwithstanding and even granting the assertion of those who say the country occupied by the Indians is utterly worthless.

Respectfully submitted by your most obedient servant,

M. DUVAL,

Seminole sub-agent.

To Hon. LUKE LEA,

Commissioner Indian Affairs,

Washington City, D. C.

No. 41.

MINNESOTA SUPERINTENDENCY,
Saint Paul, November 3, 1851.

SIR: Circumstances well known to the Commissioner of Indian Affairs have necessarily delayed the return of the third annual statement from this superintendency. An accumulation of business, not strictly incident to the customary routine of ordinary duties, has, to an unexpected degree, engrossed my attention for the last seven months; and the necessity of visiting the Red river of the north, at an advanced period in the season, and the remoteness of my return from that remote region, have obliged me to postpone to a late day the consideration of a stated report.

A clear narrative of passing events among our Indian tribes is, undeniably, a desirable feature in American annals. The relation of the government of the United States to the red races comprised within its limits is without a parallel in the history of other nations. These races are rapidly passing away. The broad and generic difference in their origin; the entire dissimilarity in their religion, institutions, and moral and material development, embarrass the view which we are prone to take of them, and lead, in our estimate of their social condition, to the application of erroneous principles, as well as to the false application of principles which are just to a limited extent. It is extremely difficult for us, in the regulated society in which we move, to form anything like an accurate idea of the motives, the inclinations, and the impulses that control man in a state of life bordering on the savage. We theorize upon an imperfect induction, and very often upon a total misapprehension of particular facts. On the one hand, the fervor of eloquence, the charms of genius, and the license of poetry, have drawn highly colored representations of the independence of the prairie; while the worst features in the life and manners of its possessors are not given in all their naked coarseness. Fiction has engrafted the fascinations of romance on the blankness of barbarian character; and, inflamed by imaginary pictures thus presented, our sympathies for the silent decay of the red man have been epidemically regaled with periodical banquets of the emotions. A correct likeness of the American Indian, as he actually is, is seldom found. Campbell has sung of him in splendid verse, and Cooper given finely conceived images, glowing with the rich hues of fancy; but of the grosser, more material points in his character—of his apathy, brutality, fondness for activity without labor, ingrained perfidy, shameless mendicancy, mere animal existence—very imperfect ideas prevail. On the other hand, with the exception, perhaps, of the tribes of our southern colony, a review of the humane attempts of the Federal government, coeval with its origin, to improve the condition of the aboriginal races, presents but little on which the recollection lingers with satisfaction. Our Indian policy has been vacillating, full of inconsistencies and incongruities, of experiments and failures. Sums of money, vast in the aggregate, have been dispersed and dissipated in little rills and drops, imperceptible to all human sense, and carried off by an insensible and ineffectual evaporation. Large annuities have glided away in small quotients to individual recipients, and there has been but little to testify to their fruits. Happy if the philosopher or statesman can find in the record of former disappointment ought to justify future hope; or, in the errors of past experience, the lessons of ultimate wisdom.

In the brief time allotted for the preparation of this report, an abridged

delineation of events which are of more immediate and considerable importance will alone be attempted: and, for more detail information regarding the tribes in charge of this office, reference is respectfully made to the reports and enclosures from the several agents.

The tribal and intestine difficulties between the Sioux and Chippewas, which, at the period of my last annual report, seemed to have been happily terminated by the convention held at Fort Snelling in June, 1850, have unfortunately been again revived. Several war parties have been fitted out by each side, succeeded by a trifling loss of life. Proximity of territory, which ought to make these tribes friends and good neighbors, proves a ceaseless cause of vexation, irritation, and disquiet. In another place will be considered the only practical and competent means for avoiding future hostilities and correcting the disturbing influences which peril the maintenance of peace.

Milton has said that the wars of the heptarchy were not more deserving of being recorded than the skirmishes of crows and kites. The cowardly nature and beggarly feats of savage warfare have undoubtedly influenced many to adopt a similar conclusion respecting Indian forays. But, in view of the contiguity of a white population to the long line of Indian frontier, it would be nearer the truth to characterize these border collisions as evils of an acute and terrible kind, for which we cannot be too eager to provide a remedy. If, with the use of all proper means of prevention, occurrences of this character cannot, nevertheless, be always prevented, the offenders should still be brought to certain and exemplary punishment. In this respect, so far as unceasing efforts extend, I am aware of no delinquency on the part of officers of the Indian department connected with this superintendency.

On my departure for Washington, in April last, a circular was issued to the several agents, directing their special vigilance to the suppression of outbreaks between the Chippewas and the Sioux, and instructing them, in such event, to promptly communicate with the military officers at Fort Snelling and Fort Ripley: and, without reference to causes of provocation or past differences, to summarily apprehend every Indian engaged in an overt attempt to break the peace. During my absence, however, a party of Sioux who were on a war path against their ancient enemy, crossed over to the ceded lands on the eastern side of the Mississippi, and, within the limits of an organized county of the Territory, committed a series of aggressions, upon the persons and property of citizens of the United States, of an aggravated and offensive character. This violation of our soil was accompanied by various mischievous depredations, and resulted in the unprovoked murder of a highly respectable citizen of the Territory. As was to be expected, great excitement succeeded, and some degree of commotion ensued, threatening at one time to embroil the border in a conflict, in which, besides the usual miseries of war, would mingle the ferocity of personal passions, and the cruelty and bitterness of individual revenge. By aid, however, of the military at Fort Snelling the principal offenders were arrested and confined in the guard-house of the garrison, to await the disposition of the civil authorities. On their way to trial, in the month of June, in custody of an escort of twenty-five dragoons, detached from the fort for their safe conduct, the prisoners managed successfully to evade the vigilance of their guard. As no official information of their escape has at any time been communicated to this office, I know of no extenuating cir-

circumstances in the affair, and ~~rather~~ designate the occurrence as otherwise than mortifying and inexplicable. The fugitives, if guilty, were justly obnoxious to the highest punishment. Atonement was due, not alone for private injuries, but for a public wrong. An example was necessary for the salutary control of the Indians, and for the security of our own population. Every consideration, therefore, prompted me to esteem their recapture a paramount duty; and I accordingly authorized the Sioux agent to employ the most sure and decisive means for the purpose, advising him, in order to avoid a failure, to use as much secrecy as the nature of the case would admit, and instructing him to offer liberal rewards for the arrest of the refugees. As yet they have not been retaken, and have undoubtedly fled beyond the Missouri.

A subsequent and more thorough investigation of facts and circumstances attending the unprovoked massacre of a party of Wahpaykootay Sioux, in June, 1849, has more decidedly confirmed the original assumption of this office that the aggressors were a band of Fox Indians. As information has been received from the department that directions have issued to the superintendent at St. Louis to instruct the agent for the Fox Indians to demand of the tribe reparation for the outrage, it is hoped that there will be a speedy disposition of the subject.

Pursuant to an act of Congress, approved February 27, 1851, a joint commission was designated by the President of the United States to carry into effect the provisions of a prior act, approved September 30, 1850, appropriating fifteen thousand dollars "for expenses of treating with the Mississippi and St. Peter's Sioux for the relinquishment of their title to lands in Minnesota Territory." The commission thus constituted, proceeding under instructions from the Department of the Interior, dated May 16, 1851, concluded a treaty with the Wahpaytoan and Seeseetoan bands of Sioux on the 23d of July last, and with the Medewakantoan and Wahpaykootay bands on the 5th of August. The details of the stipulations, and the considerations upon which they were based, will be found at length in the report of the commissioners accompanying the treaties. They are referred to in this place, because, in the natural association of connected facts they fall, by the mere lines of chronological demarcation, within the scope of this report; and because, also, a review of the features of the treaties presents the most suitable and convenient classification for a methodical survey of the present and prospective circumstances of the tribe.

By the provisions of these negotiations the relinquishment by the Sioux Indians of their usufruct to a large body of lands has been obtained; and the correspondent acquisition by the government of the United States of a territory nearly equal in area to the State of Virginia, or the whole of New England. The consideration for this relinquishment is to inure to the Indians under such forms of disbursement as have been thought best adapted to meet their present exigencies, and to promote their ultimate civilization. The articles, though few and simple, were not adopted by the commissioners without reflecting upon the past, pondering on the condition of the present, and endeavoring to anticipate, as far as might be, the probable future. So far as possible they are the digest of careful observation and considerate deliberation.

An enlarged comparison of the different elements which enter into the social economy of aboriginal societies, in the first place, clearly demonstrated to the commissioners that community of property was the most in-

veterate obstacle to their elevation, as it has ever been, and still is the most obstinate barrier to their civilization. Distinct ideas of separate property must necessarily precede any considerable progress in the arts of civilization. Among the red races at present there exists no tie, no influence, which survives the individual and extends to the race. There is no permanent appropriation, no hereditary transmission. Individuals appear and then vanish, mere isolated and ephemeral beings, seizing the means of subsistence and employment as they pass along, each for himself alone, each according to his strength, which is the measure of right, and without any end or purpose beyond. Nothing outlives the individual to enter into the common life, the progressive destiny of the species. Antecedent, then, to any perceptible melioration, any noticeable advancement in their social condition and political situation, community of property must be met as the radical, fundamental element to be obliterated: the real, essential and distinct mischief to be conquered and extirpated. A just conception of proprietary rights must of necessity be the initial in all successful efforts to civilize the aborigines. And, inasmuch as the idea of separate property in things, personally, universally precedes the same idea in relation to lands, let the one be attained, and the other will speedily follow. Exclusive property in things personal will usher in individual appropriation of the soil. The distribution of land in individual right will create for the Indian, now erratic and a vagrant, that domestic country called home, "with all the living sympathies, and all the future hopes and projects which people it." The individuality imparted to the avails of the cultivation of the soil will speedily overcome that repugnance to labor, and check those wandering propensities, which are now solid ramparts against improvement and progress.

In the preparation of the several articles of these treaties, and in the adjustment of the interest payments to various purposes, this leading aim, the overthrow of the community system and recognition of individual proprietary rights, has been kept constantly in view: and it is believed that there is not a feature in the different provisions which has not some bearing, remote or direct, favorable to the accomplishment of this desirable object.

The several erratic bands who sparsely inhabit the immense region which have been ceded, number in all about eight thousand people. They have outlived, in a great degree, the means of subsistence of the hunter state, and are unable to procure the requisite food and clothing from the precarious spoils of the chase. Their game is rapidly diminishing; and even without the benevolent interference of the government, stern necessity must shortly compel them to resort to the pursuits of agriculture for subsistence, or to starve. The treaties provide for their concentration in a more confined area, where they can be more readily controlled for the best interest, and where, at the same time, the United States can more satisfactorily discharge the duty of protection which is due to them, and without any increase of expenditure extend to a greater number the benefits of its measures and policy. Here, restricted within narrower limits; supplied with implements of husbandry and the arts; with manual-labor schools established; with farms opened: with mills constructed and dwelling-houses erected, they will be surrounded by a *cordon* of auspicious influences: render labor respectable, to enlighten their ignorance, to conquer their prejudices, to chasten and repress their nomadic inclinations, and to cultivate

those habits of thrift and economy which follow in the train of individual property.

They will be guarantied, also, for a long series of years, from any considerable pressure from a white population, and protected from the consequent acquisition of the vices with which a savage people usually become tainted by their intercourse with those who are civilized.

Another consideration which had great weight in the selection of their future location, was the important advantage to be attained by the interposition of a broad tract of country between the boundaries, respectively, of the Sioux and Chippewas. These tribes, as has been before remarked, are hereditary enemies. As with the highland clansmen of old, the keenness of barbarian memory of wrongs keeps alive the hereditary enmity. From father to son the deep, precious, immortal hatred is handed down by tradition, by scalp and war dances, by war clubs smeared with vermilion, and by innumerable religious symbols. Revenge is blended with religion; and in the mysteries of the *Wakens*, in the sorceries of the conjurer, frequent and prominent as the chorus in a Greek tragedy, appears ever a pantomime of retaliation. At present their hunting grounds adjoin. There is a border ground claimed by both, the title of each to which is controverted by the other. Prudential reasons, readily perceived, required that the disputed territory should be ceded to the United States, to intervene a perpetual pacific barrier between the hostile tribes. Such an intervention can alone effectually prevent frequent collision. The separation has been effected; and in the language of the report of the commissioners: "The isolation of the Sioux by these treaties, and the purchase of the country between their future home and the Chippewa line, will be more effectual in putting a stop to the war between the two tribes, than an army kept constantly in the field to arrest their war parties."

Another considerable advantage, incident to their new location, will be found in the opening of a grand highway through territory exclusively American, for the rich and annually increasing commerce between the interesting settlements of the Red river of the north and the towns and villages of the upper Mississippi. By the extension of the western line of purchase, in connexion with the cession made at the subsequent treaty with the Chippewas at Pembina, the avenue of this important traffic will in future be entirely within ceded lands.

The practice which has heretofore obtained of distributing large quantities of merchandise in bulk, in annual payments to Indians, has universally proved unfavorable to the inculcation and cultivation of ideas of separate property. Aside from the partiality and inequality which usually accompany these divisions, their invariable tendency has been to confirm in the mind of the savage his loose view of proprietary rights, and to defeat the operation of influences designed to be adverse to the community of property. Cash annuities, as more directly impressing upon the Indian the importance of husbanding and amassing individual wealth, are deemed less prejudicial in this respect; and for this reason, apart from other considerations, there has been considerable departure from previous usage in the specific modes of payment provided by the treaties, and but a moderate portion of the annually accruing interest is reserved for distribution in goods and provisions.

A leading object in both treaties has been to apply a large part of the purchase money to beneficial objects connected with the gradual improvement and ultimate civilization of the tribe. It is by slow degrees and im-

perceptible changes alone that all civilized societies have been formed. Observation of this truth is fitted both to encourage moderation and inspire hope. It is unreasonable to expect that the brief and desultory labors of a few years will accomplish the civilization of the savage. Such a civilization must of necessity be scanty and superficial indeed. From the nature of the case the elevation of the Indian must be gradual, and of the most tardy development. Precipitate innovation is dangerous: and vain and futile are all attempts to confer on one race, other than by slow degrees, the institutions and habits of another. This reflection should not, however, lead to a morose and desponding view of the future, nor encourage the theory that it is impracticable to civilize the Indian. The latter opinion is probably more convenient than just.

As far back as 1798, General Knox, then Secretary of War, in some well considered observations, suggested by a general view of Indian affairs, contended with great force that the object was practicable under a proper system. "That the civilization of the Indians," he very justly remarks, "would be an operation of complicated difficulty; that it would require the highest knowledge of the human character, and a steady perseverance in a wise system for a series of years, cannot be doubted. But to deny that under a course of favorable circumstances it could not be accomplished, is to suppose the human character under the influence of such stubborn habits as to be incapable of melioration or change—a supposition entirely contradicted by the progress of society from the barbarous ages to its present degree of perfection."

From the negotiation of these treaties it is believed that a new era is to be dated in the history of the Dahcotas—an era full of brilliant promise. In addition to the munificent provision which has been made for the foundation of manual-labor schools, and the annual appropriation of five thousand dollars to their support, a much larger proportion than is usual of the purchase money has been vested in civilization and improvement funds. For sound reasons of governmental policy, the annuity payments are limited to fifty years. Beyond this term their continuation would not be useless merely, but absolutely pernicious, as tending to incite and encourage habits of mendicancy, to which the red man is already too prone. With the sharp discipline of half a century, and the liberal assistance in this time afforded by the federal government, the civilization of these Indians will have been effected, if it ever can be at all, and their capabilities to provide for themselves fully developed. By a judicious expenditure of the various funds, and by the gradual operation of causes to which allusion has already been made, and of other causes which will hereafter be adverted to, it is confidently expected that before the conclusion of this period the Dahcota will have attained to comparative happiness and respectability, and the long night of his barbarism have approached its end. With each successive year, by proper and well directed efforts, the shadows which now encompass him will grow fainter; and at the close of fifty years, as the morning breathes upon him, and the twilight reddens into the lustre of day, the present relation of guardian and ward may safely and with advantage terminate.

Distinct ideas of proprietary rights presuppose, further, the institution of laws to secure the owner in the enjoyment of his individual property, because no man will exert himself to increase his stores, unless his right to enjoy them is exclusive. Inasmuch, then, as the respect for rights supposes

the respect for law, the habitual source of rights, a provision has been embodied in the treaties, which empowers the President, or the Congress of the United States, to prescribe for the government of the Indians such systems of law as may, from time to time, be deemed useful and expedient. This is a novel feature in treaty stipulations with the aborigines, and one which, in the importance of the consequences to which it promises to lead, ought not to escape attention.

In the case of the *United States vs. Rogers*, 4 Howard's *United States Reports*, 567, it was adjudged, "that the Indian tribes residing within the territorial limits of the United States were subject to their authority; and where the country occupied by them is not within the limits of one of the States, that Congress may by law punish any offence committed there, no matter whether the offender be a white man or an Indian." Such was the decision of the Supreme Court of the United States, as pronounced by Chief Justice Taney. The provision under consideration, however, contemplates the exercise of a much broader power, and introduces an entirely new relation between these Indians and the federal government. It disposes at once of the fanciful pretensions and artificial rules of construction to which the assumed *sovereignty* of Indian tribes has so often given rise, and provides, by the voluntary acquiescence and solemn convention of the Indians themselves, for the prescription of laws, which shall not alone punish criminal offences, but which may also protect the more delicate and complicated rights which arise when the relations between man and man are carried to a high degree of perfection.

In the rudeness of their present state of society, a system should, doubtless, in the first place be framed, simple in its provisions and unencumbered with detail, which shall secure plain rights and provide positive remedies; but as their civilization shall gradually assume a richer and more diversified character, it will unquestionably be found advisable to incorporate in their code many of the nice distinctions and refined maxims which illustrate the jurisprudence of more advanced societies.

At present, among the savages of the north-west, there is no law but the law of force, which is essentially variable and precarious. Motives to industry and incitement to accumulation are wanting, because labor has no certainty that it will be protected in its fruits. A judicious exercise of the power conferred by this provision upon the government of the United States will speedily break up the community system, which is now the bane of these tribes, and relieve that utter nakedness of rights and remedies which at present constitutes the chief impediment to the civilization of the red man. It will prompt him to rely upon his own resources: to emulate the peaceful triumphs of labor; to dwell under his own roof, and cultivate his own tree-ample inheritance.

For numerous reasons, to which in this place it is unnecessary to advert, it was also thought proper to provide that the trade and intercourse laws, so far as relates to the introduction into the Indian country of ardent spirits, should continue in force over the ceded lands, until otherwise ordered by Congress or the President. Should any unforeseen inconvenience or unexpected abuse arise from the stipulation, rendering its continuance, in the opinion of the government of the United States, no longer desirable, it is left in the power of the President or Congress to put an end to it at will. The peculiarly debasing effect of indulgence in spirituous liquors upon the Indian is proverbial. Owing to the stringency of the law upon this sub-

ject, and the humane exertions of their missionaries and bonded traders, the Dahcotas at present are comparatively a temperate people. This provision will be to them an additional safeguard. The interdiction of all contiguous traffic in intoxicating poisons will prove a more efficient protection against the vices they introduce, and the habits they infix, than all arguments against their use. Its influence upon the white population which will speedily crowd upon the purchase, is too clearly apparent to require comment.

Such, in brief and very imperfect form, is an outline of some of the leading provisions of these treaties. Most of the defects which they aim to supply, are normal and organic to the barbarian state, and not at all singular to the social and political condition of the Dahcotas. The coincidence in the general circumstances of the different tribes in charge of this office is uniform, not partial: and hence we may analogically infer, that so far as the provisions, which have been under consideration, shall successfully accomplish the objects at which they aim in the instance of the Dahcotas, to nearly the same extent will a parallel result ensue from their application to the social economy, both of the Winnebagoes and the Chippewas.

In the mere light of a *bargain* the treaties are eminently advantageous to both parties. They fall within that class of arrangements, not so infrequent as might be supposed, in which each side is a decided gainer. To the Indians themselves, the broad regions which have been ceded are of inconsiderable value, and their nomadic occupancy of them a positive evil. The only alternative which seemed to be left them, at the time of the pendency of the negotiations, was starvation or a sale. A treaty was indispensable to their very existence. This is a serious and appalling fact, which should not be overlooked in considering the eloquent claims of a wasted native race—helpless, houseless, homeless—not upon the compassion, the charity, or mercy, but upon the justice of a great and magnanimous nation. The consideration agreed to be paid, though in view of the actual value of the lands merely nominal, was esteemed to be as large as would be for the real good of the Indians, and ample to supply their present wants and minister to their future comfort.

To the United States the purchase is of immense value. The region country acquired lies in the great heart of the North American continent, larger than the island of Cuba, and computed to contain over thirty-five millions of acres. It is so diversified in natural advantages, that its productive powers may be considered almost inexhaustible. Probably no tract upon the surface of the globe is equally well watered. Many of its valleys almost realize the beauties of that "happy valley" described in allegory. No ranges of mountains or arid deserts intersect its vast extent, and the whole is capable of yielding something for the use of man. A large part rich, arable land; portions are of unsurpassed fertility, and eminently adapted to the production in incalculable quantities of the cereal grains. The boundless plains present inexhaustible fields of pasturage, and the river bottoms are richer than the banks of the Nile. In the bowels of the earth there is every indication of extensive mineral fields, which only await the energies of an American population to reveal hidden treasures of uncounted wealth.

While I lament my utter incompetency to give anything like an adequate description of the physical geography of this beautiful region, I rejoice to know that scientific enterprise has explored it, and that the results both

geological and topographical observation are before us. In a report of a geological reconnaissance made by Mr. G. W. Featherstonhaugh, and in another by Mr. David Dale Owen, parts of this purchase are described. The narrative of the second expedition of Major Long presents a graphic view of the St. Peter's valley; and the report, made in 1845, by Mr. J. N. Nicollet, to illustrate his map of the hydrographical basin of the upper Mississippi river, embraces much useful and interesting information. From the latter paper I venture to quote, in this place, a succinct account of the geological and mineralogical features of the lower St. Peter's country, and of the region watered by the Mankato or Blue Earth river, to which Mr. Nicollet has given the name of Undine region.

"The whole country embraced by the lower St. Peter's and the Undine region exceeds any land of the Mississippi, above Wisconsin river, as well in the quality and quantity of its timber, as in the fertility of its soil. The forests of the valley on the right bank are connected by groves and small wooded streams of the adjoining prairies with the forest called Bois-frances; and they extend so far southwest as to include the lands of the upper waters of the Mankato river.

"The forest trees, as reported to me by Mr. Geyer, are chiefly soft maple, American and red elm, black walnut, the nettle tree, bass wood, red and white ash; the undergrowth, the common hawthorn, prickly ash, high cranberry, red root, gray dogwood, fox grapes, horse brier, and moon weed. Among the herbs are the wild and bristly sarsaparilla, Indian turnip, the gray celis, and others; rushes and the flowing ferns are abundant along the low banks of the rivers. The valley prairies are rich in pasture, grasses, and leguminous and orchilaceous plants, such as the yellow ladies' slipper, American and tufted vetch, and others. The lowest parts near the borders of the woods, and those subject to inundations, are filled with the high weeds common to such places, as the ragged cup, tall thistle, great bitter weed, the tuberous sunflower and others. Swamps are frequent, and some of them contain extensive tracts of tamarack pines; cedars grow intermixed with red birch on the rocky declivities of the lower Mankato river. Red and hickory oak, with hazel, red root, peterswort, and the wild rose, are the trees and shrubs of the uplands. There are, besides, thickets of poplar lind, that are frequent in the elevated prairies near the river. The prairies are very luxuriant, and generally somewhat level and depressed; the groundnut and button snake root are their most abundant and conspicuous herbs.

"To give animation to the Undine region and to the valley of the St. Peter's, as well as to develop trade between the British possessions, the territory of Iowa, and the State of Missouri, it would be necessary for government to open routes of communication between St. Peter's and the Traverse des Sioux, through the Bois-frances mentioned above; between St. Peter's and the Prairie du Chien; between Dubuque and the Lac qui Parle; through the Undine region, with a fork in the direction of the Traverse des Sioux, passing by Fremont and Okoman lakes, (which latter is at the head waters of La Houtan river,) and in other directions that would naturally suggest themselves.

"The geological formation that characterizes the Undine region, as well as the St. Peter's, as far nearly as the mouth of the *Waraja*, is the same as that of Fort Snelling, which I shall describe further on. It consists mainly in a thick stratum of friable sandstone as the basis, succeeded by a

deposit of limestone, which is sometimes magnesian, and occasionally contains fossils, the whole covered by what I have called the erratic deposit.

"The sandstone forms the little rapids of the St. Peter's, and re-appearing at the Traverse des Sioux determines other rapids that are observed in a beautiful stream two miles northeast of the trading post in this place. At other intermediate localities the sandstone and limestone both appear; but further on the limestone disappears altogether, because it goes thinning out as the western limits of the formation are approached. This may be observed near the Waraja, and towards the upper parts of the Mankato, where the limestone, and indeed the sandstone, are replaced by beds of clay or calcareous marl.

"In the argillaceous deposits last referred to there are red ochre, other ferruginous minerals, and lignites; between the sandstone and the limestone there is a bed of whitish clay, enclosing nodules of the blue earth; and sometimes between the strata of limestone bands of argillaceous iron ore, intermixed with siliceous and calcareous incrustations."

In bringing to a close this branch of my report, I desire to be indulged in one additional reflection. A review of the history of this nation presents a fact so striking as the noiseless, multitudinous movements of its people westward. This is not a local or transitory accident. We see a following wave in endless succession. First, last, everywhere, and again this mighty political fact strikes us. It is not the ripple of the rivulet that breaks along the margin of the wilderness; but "the long swell of Atlanta," wafted from foreign realms and augmented by contributions from every State. Should the treaties which have been made receive the approbation of the Senate, an industrious population will, in a short time, cover the whole agricultural portion of the ceded regions, as the waves cover the sea. The clamor for entrance upon the new purchase grows each day louder, more pressing, more imperious. Causes and agencies already in actual operation are rapidly conducting our people to the occupancy and reclamation of its unharvested solitudes. Even now the ceaseless, irresistible tide of migration, in its occidental development, is fast encroaching upon them, reckless of the rights of the present possessors, and contemptuous of the authority of law. "On the skirts of civilization," says a writer in a modern review, "unnoticed and in silence, as the leaves grow at night, young States yearly germinate into life. Without strife, uncoupled, almost without thought, quietly and naturally as the sap ascends the tree, these principalities, that yesterday were not, to-day take their seats in the world's councils." I feel in all its force the pragmatic truth contained in the final passage in the report of the commissioners. I appreciate to its full extent the absorbing interest with which thousands of our citizens are anxiously and impatiently awaiting the ratification of the treaties by the Senate; and, in conclusion, can solemnly declare my deep conviction "that the time has come when the extinguishment of the Indian title to this region should no longer be delayed, if government would not have the mortification, on the one hand, of confessing its inability to protect the Indians from encroachment, or be subjected to the painful necessity, upon the other, of ejecting thousands of its citizens by the strong arm from a land which they ask only the opportunity of cultivating, and which without their labor will be comparatively useless and waste."

In examining reports for the two preceding years from this superintendency, it will be perceived that the vagrant habits and erratic excursion

of the Winnebagoes have been so freely enlarged upon, that any extended reference to them in the present paper would seem to be unnecessary. During the year several fugitive parties of these Indians have been intercepted, stealthily moving southward, with a view of returning to their old hunting grounds in Wisconsin and Iowa. In checking their movement in this direction, the military garrison at Fort Snelling has been an indispensable and invaluable auxiliary. Ever since the removal of this tribe in 1848 to the lands assigned them by the treaty negotiated at Washington in 1848 much ill-founded discontent has been manifested on their part to the country reserved for their occupancy in this Territory, and selected by an agent of their appointment. With every exertion on the part of officers in the Indian service, it has been found impossible to induce more than a small fragment of the tribe to settle down in the vicinity of the agency; and far the larger part have located to the east of it, scattering along the banks of the Mississippi river. To prevent the expatriation to a considerable degree of these latter colonies, during the present year, a farm has been opened upon Watab prairie, in the vicinity of the river, and various means employed to render their new homes as inviting and attractive as possible.

Besides the cost of the original removal of these refractory Indians, great expenses have since that time been incurred by the government of the United States in order to effect a more complete and permanent colonization. A very considerable sum has been paid for the removal of such as had not previously removed, as well as of others who, after their emigration into the Territory, had returned to their old haunts upon ceded lands within the States. The urgent, and perhaps exaggerated, representations which were made by the State of Wisconsin relative to the serious evils and inconveniences resulting from the presence, in that State, of these vagrant Indians, induced the Department of the Interior to undertake this enterprise, of which, at the time, I freely expressed doubts whether the practical results which might be attained would at all correspond to the vast outlay which would necessarily have to be made. The complaints which have reached us during the summer, of continued annoyance from marauding parties of these restless and mischievous savages, have, I regret, unfortunately confirmed the correctness of first impressions and early apprehensions.

These complaints seem chronic with the people of Wisconsin; nor is it perceived that they are more infrequent now than formerly. While much can unquestionably be done to intercept the migratory movements of this turbulent people, by making their remaining at home a condition of receiving their annuities, and by the personal exertions of their agent, and the sleepless vigilance of the dragoon and infantry troops stationed within the Territory, the opinion is, at the same time, respectfully submitted, that an adequate remedy for the evils complained of reposes with the authorities of the State of Wisconsin, and with them alone. It is time, perhaps, that this should be distinctly understood.

As long as there are paths through the wilderness, known only to the Indian, which no soldiery can penetrate, which lead over a treacherous morass, and through jungles of tangled thicket, no argus-eyed vigilance on the part of officers of the Indian department can erect a Chinese wall of separation between this tribe and the inhabitants of Wisconsin. The situation of the Territory occupied by the Winnebagoes is not that of a walled city, or a sentinelled camp, neither are there *gens d'armes* or tipstafis patrolling every prairie, or custom-houses and stations dotted down at conve-

nie intervals, to inspect the passport of every roving savage. The cure lies elsewhere than here.

Indians rarely visit or long remain in a community where they are not made welcome and encouraged to stay. Let Wisconsin legislation inhibit, by severe penalties, all trade and intercourse with the refugee Indians; let it make it a high penal offence to harbor one, to buy his furs or his game, to sell or to give him anything; let it put him under the ban of social excommunication; above all, let a sharp and resolute police visit with certain exemplary and summary punishment, all traffic with these Indians in intoxicating liquors, and they will be speedily repelled from the borders of Wisconsin, their old haunts will lose their attraction, the State will be rid of their presence, its citizens will be relieved from molestation and annoyance, and the troublesome marauder gladly and with alacrity will find his own way back to his proper country, wisely contented in future to remain there. Why this very obvious course has not long since been adopted, I am utterly at a loss to conjecture. It would seem worthy at least of trial, and much more promising, as well as a cheaper, than the governmental transit of these Indians up the river one month, to be succeeded by the individual transit of the same Indians down the river the next.

In all the elements which contribute to material well-being, probably no tribe which has treaty relations with the United States is more highly favored than the Winnebagoes. As yet, they do not seem properly to appreciate this; nor, unfortunately, does their moral advancement keep even pace with their physical improvement.

The report of their agent presents a highly flattering view of the agricultural resources of the tribe. During the year, five hundred acres have been under cultivation at Long Prairie, the site of the agency, and two hundred acres on the Mississippi river. The agent estimates that, from these seven hundred acres, there will be produced the present year fourteen thousand bushels of corn, eleven thousand bushels of potatoes, eighteen thousand bushels of turnips, four thousand bushels of oats, and three hundred bushels of wheat, besides large quantities of garden vegetables. As the Winnebagoes do not exceed in number two thousand people, this is certainly a very encouraging statement, and would seem to indicate that the amount of production will very nearly suffice to meet all demands of domestic consumption. A very slight increase in the number of cultivated acres will place the tribe above want, and enable them in prosperous seasons to raise a considerable surplus.

By the treaty of 1846 ten thousand dollars were reserved "for the erection and carrying on of one or more manual-labor schools." In addition thereto is annually applicable to educational purposes three thousand dollars, under the treaty of 1832, limited to twenty-seven years, and two thousand eight hundred dollars under the treaty of 1827. The treaty of 1837 provides, further, five hundred dollars per annum for the pay of an interpreter to the schools. Here, then, until the year 1859, is an annual revenue for school purposes of six thousand three hundred dollars, and after that period a yearly income of three thousand three hundred dollars. The latter sum will at all times be ample for the salaries of teachers; and by 1859 the fares will have become so prodigious that the rations, which are now distributed to the children who attend the schools, can be contributed entirely from that source, without encroaching in any degree upon the educational funds. The school at Long Prairie, which remained closed for a consi-

erable period after the resignation of the Rev. David Lowry, the former superintendent, was reopened last winter, and is now in active operation.

In a communication from this office, dated March 27, 1851, I enclosed, as information to the department, an extract from a letter from the Chippewa agent, from which I will here make a brief quotation, corrective of a false rumor, circulated last winter by a portion of the public press, relative to the alleged starving condition of the Chippewa Indians: "Nothing has ever been more exaggerated," writes the agent, "than the starvation of the Chippewas. There has not been a single case of starvation in all this region of country; and even in the Lake Vermillion country, as I learn from a man just from there, the Indians are better off than they have been for several years past." What inducement men can have in circulating reports so foreign to the truth I am unable to say, but it is evidently done with the design to obstruct the removal, and to cast reflection upon the officers of the government and the administration.

Allusion is made in this place to this matter, not for any intrinsic importance that attaches to it, but for the purpose of illustrating the facility with which stupid malice, or mistaken self-interest, can make totally groundless assumptions of fact, and then leave a discreditable inference to be drawn from them. To see, not what exists, but what depraved imagination suspects; to indulge complacently in allusions about facts, as if facts, with equal complacency, would assume the shape that they desire, is characteristic of a class of adventurers upon the frontier; and, in justice to human nature, I believe the number to be very small, who would suborn, as auxiliaries in party strife, or as a means of gratifying petty, grovelling malice, or as a means to a fat job or lucrative contract, the most palpable fabrication of facts. So far as unjust or invidious reference has been or may be made to myself, so long as I retain the approbation of the inward monitor, I feel some indifference to the publication of anonymous and interested trash, and view with entire *nonchalance* all verbal batteries of a disparaging and calumnious character that may be marshalled against me. It is unquestionably the right, as it is the duty, of public journals to freely comment upon public events and the conduct of public servants. In indulging in a free expression of views, it is natural that the press should sometimes inadvertently fall into error. But the difference is wide between unintentional misstatement and that eager avidity which, possessing no authentic means of information, greedily snatches at every miserable calumny which, directly or by innuendo, can reflect upon the acts or motives of a public agent. Were it not for the temporary injury sometimes occasioned by distorted recitals and exaggerated narrations of facts, it would be both curious and amusing to trace their growth with each repetition, and to notice the increasing corpulence of obliquity and exaggeration, so to speak, which false rumors attain with every mile of travel.

At the payment which was made to the Chippewas at Sandy lake last fall, a distressing mortality prevailed among them, occasioned by the dysentery and measles, and aggravated doubtless by the low diet to which this people are accustomed for at least nine months in the year. But anticipating inconvenience and embarrassment from the failure in the reitittance of their money annuity, I took the precaution to guard against any deficiency in the supply of provisions; and as time did not admit of previous consultation with the department, assumed the responsibility of instructing the agent to purchase provisions for them, to the amount of one-half of their

money annuity, (if they could be procured upon reasonable terms,) after first obtaining the written consent of the chiefs and headmen of the bands which solicited and really stood in need of aid. This the agent did; and, at the payment in question, these Indians received more than their usual quota of provisions. So far from famine or starvation ensuing from any negligence on the part of government officers, the Chippewas received all that government was under treaty obligations to furnish to them, except their money; and this, as every one is aware, who is at all familiar with the thriftless habits of the Indians, and the fatal faculty with which they incur debts whenever opportunity presents, is usually all of it due to their traders. As it was, one half of their money annuity was invested in provisions; and had the residue been so invested, which the scarcity of supplies rendered impossible, it would not have subsisted the large number congregated at the payment an additional fortnight.

I am happy to be able to inform the department that, agreeably to the plan of operations matured in this office, the removal of the Chippewas from the lands they had ceded in Michigan, Wisconsin and Minnesota, has been, during the present season, in course of successful progress. Active operations commenced in May last, and the agent writes me that the muster rolls, when completed, will show that three thousand Chippewas have been removed, and that only about seven hundred, inclusive of the Anse band, remain behind upon the ceded lands. The Vieux Desert band have been, and are still suffering from the small-pox: to have attempted their removal the present year would have been useless. The Pelican Lake and Wisconsin River bands have also been suffering from the same disease, and from the measles. About one-half of these latter bands have removed in company with their chiefs; the remainder, it is thought, can easily be induced to remove next spring. The removal of the Anse band was never seriously contemplated. They have attained to a comparatively advanced stage of civilization, and many of their number, by the laws of Michigan, are admitted to the rights and privileges of citizenship.

In the conduct of this most difficult and delicate enterprise, I cannot too highly commend the signal ability and rare prudence manifested by Agent Watrous, who has had the removal in charge: nor too favorably notice the valuable services of Wm. T. Boutwell and Clement H. Beaulieu, esqs., assistant superintendents of the removal. It is impossible for one unacquainted with the character of such enterprises, to conceive of the host of difficulties which have to be encountered and surmounted. In the mining districts the Indians have found strong inducements to remain. The whites employ them in fishing, boating, voyaging and hunting; pay them well, and supply them with all the whiskey they want. The fickleness of the Indians themselves; their wide dispersion in numerous sub-bands; the jealousy of half-breeds; the perfidy of the employees; the avarice and speculative schemes of interested white men, all conspire to raise obstacles almost insuperable to the successful accomplishment of an undertaking of so extensive and complicated a nature.

With the use of proper effort next year for the removal of such as have been detained behind by sickness, the agent thinks as complete and final a removal of the tribe will have been effected as probably can ever be accomplished. The Chippewa Indians have been so widely dispersed over a country, in many places pathless and trackless, that many stragglers must necessarily be left behind. A rigid adherence, however, to the rule of pay-

ing annuities to those only who remove to, and remain in their proper country, will, it is believed, accomplish all that can in reason be desired, or in justice demanded from the Federal government.

By the treaty which was concluded at Pembina on the 20th day of September, 1851, the cession of a tract of country was obtained about one hundred and twenty miles in length, by sixty-five in breadth, intersected in its centre by the Red river of the north. The boundaries of the cession, as described in the treaty, begin on the east bank of the Red river of the north, where it is intersected by the international boundary line; thence extend east along said line thirty miles: thence southwardly in a direct line to strike the Buffalo river, "half way from its source to its mouth;" thence along said river to its mouth; thence northwardly by the west bank of Red river to the mouth of Goose river; up said river to its most westerly source, following the south branch thereof: thence northwardly in a direct line to strike a point on the international boundary line, five miles west of the Grand Côté, and thence east to the place of beginning. The purchase embraces some of the finest country upon the tributaries of the Red river of the north, and comprises an extensive tract which was granted to Lord Selkirk in 1811 or 1812, by the Hudson's Bay Company, under the impression that it was upon the British side of the international line. Under the same erroneous impression settlements were made by colonists under Lord Selkirk, as far south as the Grand Fork, formed by the junction of Red Lake river with Red river, at least one hundred miles on this side of the American line; and in this way, until the correct line was run, hundreds of colonists, native born citizens of the United States, were under the impression that allegiance was due from them to the government of Great Britain.

For the details of the treaty, and the considerations upon which they were based, I must respectfully refer to my report as commissioner, which will be forwarded to the department in a few days. Several of the provisions are exact counterparts of articles in the treaties with the Sioux, which have already been dwelt upon at some considerable length, and the brief flying notices allotted for the completion of the present report utterly debar further allusion to them in the present connexion.

Under an escort of twenty-five dragoons, detached from Fort Snelling, under the command of Lieutenant Corley, the commission left the Falls of St. Anthony on the 18th August, and arrived at St. Paul on their return on the 27th October. To detail, even in the most cursory manner, the novel and exciting incidents of the excursion would occupy more than the entire space of the present paper. The inviting agricultural opportunities presented by much of the country that was passed over; the fairy and almost cultivated English beauty in many places of the landscape; the quiet Flemish character of the scenery upon the Red river of the north beyond the Grand Côté, and the Alleghanian appearance of this coteau as it is approached on this side; the amusing perplexities and incidents of each day's encampment: the glimmering of tent-fires, with the grand but monotonous sublimity of the prairie for a perspective; the racing, over bending grass, with affrighted elk and gigantic buffalo; these and a thousand other scenes, the recollection of which is pictured upon the memory fresh as the remembrance of childhood, time does not permit me to refer to in this place.

After the conclusion of the treaty at Pembina, in courtesy to the pressing invitations which were received from the British side of the line, and with natural curiosity to witness the finely cultivated farms, and rich, abundant

harvests of a region lying so far north of our extreme northern line, and test, by personal observation, its agricultural capacities, we extended our journeyings to lower Fort Garry, upwards of one hundred miles over the border, and within a short distance of the vast waters of Lake Winnipeg. In a brief but interesting visit, we received a generous welcome from Governor Colville, of Rupert's Land, and Major Caldwell, governor of Assiniboca, and commander of the pensioners at upper Fort Garry. To these gentlemen and to numerous others, factors and chief traders of the Hudson's Bay Company, I am deeply indebted for the graceful hospitalities extended to our party, and desire to return here my most grateful acknowledgments.

As the Chippewas will now be shortly concentrated in a more confined area, remote from a white population, and isolated from other Indian tribes, I deem it extremely important that the different divisions of the tribe should be placed upon uniform treaty relations with the government of the United States, occupy their lands by tenancy in common, and receive in equal share the bounty of government. I invite the attention of the department to the views advanced in this connexion in the report of last year from the superintendency.

In reviewing the events which have crowded the business of this superintendency during the year which is now terminating, it will be seen that three several treaties have been made with the Indian tribes in its charge, at three distinct and separate points, each far remote from the other: one upon the beautiful terraced prairie at Traverse des Sioux, on the St. Peter's river; a second at Mendota, the "meeting of the waters" of the Minnesota with the Mississippi; and a third at distant Pembina, situated on the windings of the Red river of the north, near the international boundary between the United States and the British possessions. Treaties have been entered into with three bands of the Dakota Indians, and with two divisions of the Chippewa tribe, with whom the government of the United States had never before formed treaty relations. Acquisitions of territory have been made, which may be meted and measured by parallels of latitude and degrees of longitude, and over which in a few years will extend the lustre of the American name and character. Whatever else may be said of the incumbency of this superintendency, and in this locality it has had share perhaps both of good report and evil report, it has not at least been a salaried laziness. In the discharge of the duties attaching to it, I have traversed vast solitudes, rarely visited but by the untamed Indian, or the untamed buffalo: and for most months my home has been by the tent of the camp, and my only neighbors the red foragers of the prairie.

Respectfully submitted,

Hon. LUKI LEE.

ALEX. RAMSEY

Commissioner Indian Affairs, Washington, D. C.

No. 42.

WINNEBAGO AGENCY, September 22, 1854.

Sir: On the first day of May last I entered upon the duties of office at this place; I found that my predecessor had commenced ploughing for the Winnebagoes on Long Prairie; also that he had made a contour

for breaking eighty acres at Wawtab Prairie, on the Mississippi river. The Winnebagoes now have under cultivation at this agency five hundred acres, and on the Mississippi river two hundred acres. They will this year raise on Long Prairie—

Corn,	-	300 acres,	12,000 bushels.
Potatoes,	-	50 "	10,000 "
Wheat,	-	10 "	200 "
Turnips,	-	50 "	10,000 "
Oats,	-	40 "	4,000 "
Garden vegetables,	10	"	

On the Mississippi river—

Corn,	-	100 acres,	2,000 bushels.
Potatoes,	-	10 "	1,000 "
Turnips,	-	80 "	8,000 "

The crops at this agency are unusually good, and the Indians cannot wait the coming season for food. They have assisted in ploughing, planting and harvesting. Those that have horses have this season put up hay enough to keep them through the winter. I find that they are not only contented, but anxious to work; and many of them will do as much work in a day as a laboring man among the whites. On the Mississippi river the crops are not so good, owing to their having been planted late and upon the soil. Another year, all of the bands within this agency will raise a surplus produce of every description, provided I am enabled to break on the Mississippi five hundred acres, which will give the eastern Winnebagoes their proper proportion of ploughed land. Those living on Long Prairie are almost a distinct tribe from those residing on the Mississippi. All attempts to unite them having for years failed, it is believed best to let them remain as they are. The latter have been much neglected for years, having received no benefit from the school, agricultural, or blacksmith fund; and, as might have been expected, I found them morose and dissatisfied with the government and their country; but I am happy to say that they have recently evinced an entirely different spirit. They complain much that they should be compelled to travel over a very bad road sixty miles (thirty miles of it leading through the ceded land) to the agency to receive their annuities. I can see no good reason why they should not receive their proportion of annuities at their present location. They would be spared much travel and suffering, the government would be saved nearly five thousand dollars in transportation annually, and the western Indians would not run the risk of having half of their crops either stolen or destroyed. The road over which they are compelled to travel is one of the worst in the country, and that portion leading through the ceded land is lined with whiskey shops, and by the time the Indian returns to his camp, he feels himself as poor as when he left it. Could they be paid at their residences they would husband their resources drawn from the government, and the temptation to ramble among the whites would be lessened.

I would respectfully recommend that the department permit me to add five hundred acres of ploughed land to that already under cultivation on Wawtab Prairie. This land should be ploughed and fenced in time to enable them to plant the coming season. Suitable buildings should also be erected at that place for school buildings and mechanics' shops. The cost of breaking and fencing the land and erecting suitable buildings will be about \$7,500. After this is done the Indians will raise more than they

will be able to consume, and the annual appropriations will be ample to enable the department to secure the services of a sufficient number of good teachers to carry on the school. The school buildings at this place are unfit for the use now made of them; and I would recommend the balance of the \$10,000 for manual labor schools to be expended in erecting suitable buildings in their stead.

I have erected seven log and two frame dwellings for the Indians the past summer. I have also made a contract for building a saw and grist-mill, both of which will be ready for use in a short time; and I am in hopes to be able to procure lumber in time to furnish the Indians with several more dwellings before the winter sets in. On my arrival here I found the bodies of several houses up, all of which I have finished. The Indians are very anxious to have dwellings, barns, and stables built, and are fast abandoning their savage habits for those of the white man, notwithstanding the great abundance of game of every description which abound in and around their country. Had preparations been made prior to their removal in 1846 for their comfort, the government would never have heard complaints from this tribe; and now, if suitable means are employed, the entire tribe can be brought within the limits of their own country; and should such be the case, an end will be put to their unnecessary sufferings and their ceaseless complaints. Their annuities now, if properly husbanded, will put them beyond want, and enable the government, with proper management, to make them first an agricultural people, and then by degrees lead them on to other and higher branches.

It is a lamentable fact that the educated of this tribe are the most worthless, which clearly shows that they should first be taught to labor and acquire property; after which they will see not only the use but necessity of becoming educated.

I am happy to say that since my arrival in the country the Winnebagos of my agency have not disturbed the person or property of a citizen of this territory.

Those living within their own country now number between seventeen and eighteen hundred, and I despair not of yet being able to make them not only a respectable but a useful people.

Very respectfully, your obedient servant,

A. M. FRIDLEY,

Indian agent

HIS EXCELLENCY A. RAMSEY,

Superintendent Indian Affairs, St. Paul.

No. 43.

CHIPPewa AGENCY, September 20, 1851.

SIR: In compliance with instructions of the 4th ultimo I have the honor to transmit my second annual report.

It affords me much pleasure to state, that the farmers under this agency have discharged their duties with fidelity, and that a more abundant harvest will be reaped by the tribe than at any former year.

Early in April last, I located a farm west of the Mississippi, on the Lake river, for the future home of the Chippewas of Lake Superior.

were required to remove from the ceded lands. This, together with the Gull Lake farm, has been under the superintendency of William Nettleton, farmer for the Chippewas; and much credit is due him for his perseverance, and the promptness with which he has discharged the duties enjoined upon him.

There have been two hundred and seventy-five acres of prairie broken since the 5th of May last. Of this amount, one hundred acres were broken and fenced by contract, and the remainder have been done by laborers employed by the month: sixty-four acres have been seeded, as follows: Twenty-five in potatoes, fifteen in ruta bagas, ten in oats, and fourteen in corn. The product realized from the farm is three thousand five hundred bushels potatoes, three thousand bushels ruta bagas, three hundred bushels oats, and five hundred bushels corn; all of which is designed as subsistence for the Chippewas of Lake Superior that have been removed.

Four blacksmiths, and two assistants, have been employed for this tribe; and the manner in which they have discharged their duties is entirely satisfactory.

The usual annual reports from the various missions under this agency have not been received; and presuming that none will be in time to accompany this report, I submit the following statement in regard to their operations, so far as I am informed.

The American board have kept up their school regularly at La Pointe, until July last, at which time they suspended operations until they should locate on the unceded lands.

The Methodists, heretofore, have sustained three schools, one at La Anse, one at Fond du Lac, and one at this agency. The one at Fond du Lac was discontinued in May, 1850; the school at this agency has been kept up a part of the time; the one at La Anse, I am unable to give any information in regard to. The system that has been adopted in maintaining these schools is a bad one, and has resulted in little benefit to the tribe. I respectfully recommend, that the funds appropriated for this object be expended in maintaining a manual-labor school at the agency. A useful discrimination, in selecting suitable teachers, can be observed by agents of the government as well as by the missionary societies.

The object for which this agency was temporarily located at Sandy lake, was, in its effect, (to induce those required to remove further westward;) and I respectfully recommend that it be removed, at as early a day as practicable, west of the Mississippi, and permanently located, either on Leaf river, or Otter Tail lake. The numerous lakes within this region abounding with the choicest fish, the extensive sugar groves, and fine prairies, would at once open to the tribe facilities for their future subsistence, which, with their attention turned to agriculture, would relieve them from being so often reduced to utter destitution and want, and place them effectually beyond the influence of the whiskey dealers.

Should the treaty be effected with the Red River and Pembina Chippewas by locating the agency at this point, it would be within a convenient distance for this portion of the tribe to receive their annuities. In this connection it may be proper to add, that the land is owned by bands that have never participated in the annuities; and, owing to this inequality existing, much jealousy and bad feeling have been engendered between the Chippewas of Lake Superior and those living west of the Mississippi, which is

gradually increasing; and unless something is done by the government to allay this, difficulty will yet grow out of it.

The rich deposits of copper ore on the northwestern shore of Lake Superior have induced our citizens to outfit exploring parties to examine the region of country belonging to the tribe, and I have been compelled to interfere to arrest their progress into the country.

In my annual report of 1850 I recommended that a treaty be made for all the lands east of the Mississippi. If a joint treaty was made, so that the whole tribe would be placed upon an equality, past difficulties would be obviated, and the tribe would then be concentrated, which would enable the government to do something to meliorate their condition; but, scattered as they now are over a large extent of country, gaining their living by the chase, and exposed to all the vices of intoxicating drinks, little can be done for their benefit. Policy and justice alike demand that this should be done, and I again beg leave to commend this subject to the favorable consideration of the higher authorities. To quiet their apprehension of again being removed, their lands west of the Mississippi should be forever guaranteed to them as their future home.

The removal of the Chippewas of Lake Superior, that was contemplated to have been effected last year, but was delayed on account of the necessary appropriation until it was too late in the season for active operations commenced in May last. There have been many adverse interests and counter currents to contend against; but it affords me much satisfaction to inform your excellency that the entire removal has been accomplished, with the exception of the Anse and Vieux Desert, together with a portion of the Pillican Lake and Wisconsin River bands; about one half of the two latter, with their chiefs, have removed; the remainder, and the Vieux Desert band, are suffering severely from the small-pox and measles. An attempt to remove these fractions of the tribe this year would be fruitless and disastrous to the rest of the tribe. There is no doubt but they can be easily removed the coming spring.

But little hope can be entertained of the Anse band removing, as many of them have purchased lands in the vicinity where they are now located and are making rapid strides towards civilization.

My grateful acknowledgements are due Messrs. Boutwell and Beaulieu, assistant superintendents of the removal, for valuable services rendered. The muster rolls will show when completed that three thousand Chippewas have been removed the present year. There are still remaining on the ceded lands, including the Anse band, seven hundred.

Reasonable apprehensions may be entertained of those who have removed turning to their old homes, and that the citizens of Wisconsin and Michigan will again be annoyed by their depredations and plunder. To guard against this a military post, located at the head of Lake Superior, or a treaty (as before alluded to,) is believed indispensable.

Very respectfully, your obedient servant,

J. S. WATROUS,

Indian Agent.

His Excellency ALEX. RAMSEY,

Supt. of Indian Affairs, St. Paul.

No. 44.

LA POINTE, *September 20, 1851.*

SIR: I received yesterday the circular from the commissioner of Indian Affairs which you forwarded to me, and I embrace the earliest opportunity to present my annual report of the mission under the patronage of the American Board of Commissioners for Foreign Missions among the Chippewas of your agency.

As heretofore reported, this mission occupies two stations, one at La Pointe, and one on Bad river. The two stations are about fifteen miles apart. The persons employed at the station at La Pointe are Rev. S. Hall, missionary; Charles Pulsifer, school teacher; Mrs. Hall and Mrs. Pulsifer; and Henry Blachford, native catechist and interpreter.

The school at La Pointe has been continued without interruption during the past year, with the exception of the usual vacations. The whole number of scholars who have attended it is thirty-eight. The average attendance has been twenty-one each day. The ages of the pupils, with one exception, are from five to seventeen years. The various branches of study pursued are reading and spelling, arithmetic, (intellectual and written,) book-keeping, English grammar, geography, composition and writing.

The pupils generally exhibit a good capacity for learning, and have made commendable progress. Regular public religious exercises have been held on the Sabbath at this station throughout the year.

The persons employed at the station on Bad river are Rev. L. H. Wheeler, Mrs. Wheeler and Miss Abby Spooner. No school has been kept at this station during the past year, except during a few weeks in the early part of summer. Mr. Wheeler was absent with his family from September to the last of May, during which the missionary labors at the station were suspended.

We are still pained to witness so little disposition among the Chippewas to improve the opportunities offered by the government and by benevolent societies, for improving their condition. Very few of them realize the advantages which would result to their children, and to the nation at large, by educating them, and training them to habits of industry in some useful occupation. Ignorance and idleness, with their kindred vices, are the great hindrances to their civilization and improvement. Few of them will encourage their children to attend school, when a school is brought to their door and its advantages offered them freely. Schools conducted on the non-manual-labor system may succeed better than those conducted on the plan heretofore pursued. The experiment has not been tried here.

If the nation ever improve, they must be taught habits of industry, and learn to realize the value of property. With this view, whatever is done for them, to benefit them and improve their condition, should be done in a way to encourage industry, and induce them to earn their own means of subsistence. Furnishing them the means of living, without their own efforts, is only encouraging them to idleness and vice.

This end might in some measure be attained by bringing the children to manual-labor institutions, and subjecting them to a different kind of training from that which they receive while with their parents at home.

Expending their annuities in such a manner as to encourage them to till the land and cultivate the soil, will also tend to promote industry and improvement. It is to be hoped, therefore, that when the Indians from this

region shall be removed, they will be aided and encouraged to cultivate farms, and become more concentrated, where larger communities of them can be operated upon at less expense of money and labor.

Your most obedient servant,

S. HALL,

*Superintendent of the mission of the A. B. C. F. M.
among the Chippewas.*

Major J. S. WATROUS,

Agent for the Chippewa Indians.

No. 44.

INDIAN AGENCY, St. Peter's, September 1, 1851.

SIR: I have the honor to submit my second annual report of the affairs of this agency, in accordance with the regulations of the Indian department.

The general health of the Indians has not been so good as last year, and a greater mortality has prevailed among them. Bowel complaint, in its various forms, has been more prevalent than any other disease.

As a general thing the Indians have been temperate. There have been, and perhaps ever will be, more or less exceptions. The greatest source of annoyance has been traders on the ceded lands on the east side of the Mississippi in Minnesota and Wisconsin. Notwithstanding the legislatures of the State and the Territory have passed stringent and wholesome laws against selling liquor to the Indians, still we have men vile enough to vend the article, and generally so manage it as to evade the law. It is deeply to be regretted that, while the masses of our population will compare favorably with other communities for intelligence and sobriety, there are some always found on our frontier whose only livelihood is to sell whiskey and strip the poor Indian of his earnings and the pittance allowed him by the government, giving in exchange that which makes him miserable.

The corn crop promises a good harvest, such as has not been destroyed by the flood; all the corn on the bottoms of the Mississippi and St. Peter's rivers has been ruined. The latter stream has been several feet higher than ever known before. Indeed, the last two seasons have been remarkable for the extensive overflow of the bottoms of these rivers and their tributaries, showing the necessity of occupying higher lands for Indian farms hereafter.

The same enmity continues to exist which has been so long indulged between the two largest tribes of Indians in the northwest, Sioux and Chippewas. No treaty arrangement among themselves seems to have sufficient force to prevent these tribes from murdering each other whenever an opportunity offers. In despite of all efforts to prevent it, several war parties have been out since my last annual report, resulting in the murder of two Chippewas and wounding one or two others. The Sioux have had ten or eleven killed, and several wounded. It will be almost impossible to prevent these outbreaks, so long as those tribes continue to live in such close proximity to each other. It is but just, however, to say that nearly all those murders have been committed upon Sioux territory. The Chippewas have invariably been the invaders. In no instance, we believe, have the

Sioux gone over upon the Chippewa land, but their war parties have been gotten up to expel their enemies from their territory. Although this is not a sufficient excuse for shedding blood, yet we think very little would be shed could the Chippewas be confined to their own country.

I am sorry to record that, during last spring, a Sioux war party, whose avowed object was to chastise their enemies, crossed over to the east side of the Mississippi above Sauk rapids, and committed sundry depredations upon our white population. By some means the party obtained some whiskey and became intoxicated. They fired upon three teamsters on the road, killing one of them, a Mr. Swartz, robbed several houses, killed stock, and committed other atrocious deeds. I have no doubt whiskey was the cause of those outrages. By the efficient aid of the military at Fort Snelling, we succeeded in arresting the principal offenders in this nefarious transaction, and confining them in the garrison. When the time for their trial arrived in Benton county, where the offence was committed, the prisoners were delivered over to the custody of the marshal of the territory. In transferring them, six in number, from Fort Snelling to Sauk rapids for trial, being in charge of the deputy marshal and twenty-five dragoons from the fort, they by some means effected their escape, and have not since been retaken. As a history of this transaction has been furnished from the other quarter, it is not necessary to add further details.

Reports from the missionaries and school teachers will exhibit the condition and prospects of those interests. Causes prejudicial to their success are in a course of removal, and it is hoped a more prosperous state of affairs in relation to them will be given hereafter. It is believed the want of success hitherto has not been owing to a want of effort in those engaged, but to causes over which they have had no control. In this connexion, we have the painful duty to announce that the Rev. Mr. Hopkins, missionary, a most excellent, useful, and worthy man, a member of the Presbyterian board of foreign missions, was drowned, while bathing in the St. Peter's river, at Traverse des Sioux, at the very time the treaty with the Indians was in progress at that place. This calamity falls heavily upon the young and interesting family of the deceased, and may be considered a public loss, as his influence and example were salutary among the Indians.

The small fund set apart to board, clothe, and educate Sioux children by the department, from what was called the school fund, is doing good, and I think with great propriety might be increased, until such time as our whole plan of operations be changed, and the Indians transferred to their new homes. While the Sioux occupy their present lands, scattered over so large an extent of country, their proximity to the white population, (the river only separating them for near three hundred miles,) I do not think it necessary to make any suggestions with regard to alterations in their present system of management.

Should the two treaties with the Sioux be ratified by the Senate, and they removed to their new homes, on the reserve assigned them on the St. Peter's, during the next year, and the annuities provided for by treaty distributed among them in *cash*, goods and provisions, civilization and school funds, a great improvement in their moral and physical condition may be anticipated. With a proper code of laws, proper rules for their government, at the commencement, a wise application of the funds allowed them under the various heads of accounts, it seems to me they cannot fail to make a great improvement in their manner of living, and a nearer approximation to

the habits of civilized life. In order to have the full benefit of a fair experiment, the nearer the different bands can be located to each other on the reserve the better. It is admitted by all that not much impression can be made upon those advanced in life. Lasting impressions are more easily made upon the young. Progress may be slow, but sure. As the youth grow up, their habits and pursuits may be changed, and by the time (half a century) their annuities expire, they might become incorporated into the State as citizens.

If all the bands, parties to those treaties, are to be under the care of one agent, a proper and economical superintendence will require that the bands should be in the same vicinity. At a common centre the schools, missionaries, farming, (except so far as the Indians might cultivate their own fields,) mechanism, and the agency, should be established. Such concentrated action for their benefit, acting upon the surrounding masses, could not fail to prove salutary. A more wholesome discipline could then be exercised among them: disorderly conduct promptly punished; all war parties checked before they had ripened into action. The Indians at their new homes will be widely separated from their ancient foes, the Chippewas. The above remarks are made upon the hypothesis that the late treaties will be carried out—treaties, it is believed, liberal to the Indians, advantageous to the United States, and vitally important to the peace and prosperity of Minnesota.

Not doubting the kindness of intention as well as wisdom in the Government of the United States, in adopting such rules and regulations for the government of the Indians as will be suitable to their condition in the place assigned them, we leave this topic to the development of time. In regard to farming, blacksmithing, &c., the past year, details will be found in the report of Mr. Prescott, superintendent of farmers, herewith appended.

The money left in the hands of the agent, thirty thousand dollars, by the commissioner of Indian affairs, has been disbursed in accordance with instructions, and the proper vouchers from the chiefs and braves will be forwarded.

The Sioux have not been in the habit of receiving so much money at one time, and I am sorry to add, that a large portion of it has been spent by them in a manner that will be of little benefit; the larger portion of their horses, which they did not want, and most of them will be dead in a few months, and at prices much beyond their true value. The money afforded them an opportunity of purchasing whiskey, which is always injurious to them, in drinking which many of them indulged. But we think the trouble is nearly over, as very little of the money could now be found in the hands of the Indians. We know it is the opinion of many wise and good men, who have had experience in Indian affairs, that it is better to pay the Indian his annuity in cash. Let him disburse it himself, for it will learn him the use of money and the habit of trading for himself. I think this reasoning cannot apply to the Indians in the northwest, in their present condition. It seems to me the government should look on them in the nature of minors or wards, and treat them accordingly. Dictate to them what is right, and carry out their determinations. When a sufficient number of them, by being taught, shall learn the use of money, and they will acquire in time, if the children are educated, and there shall be nearer approach to civilization, it will be time enough to adopt this theory. Cash payments to Indians are much less troublesome to those engaged

their superintendence, but I am satisfied, even from my limited experience, it is not best for the comfort and happiness of the Indian. I am convinced that a given number can be kept better and more free from suffering by the expenditure of fifty thousand dollars for them in a judicious manner, than they will keep themselves by paying them one hundred thousand dollars per capita. While I will cheerfully concede, that there are many high minded and honorable traders among the Indians, and who would do them justice, yet there are always so many employees and hangers on among and around them, that they eat out their substance and get their money, whether value is received for it or not. Indeed, in many parts of the northwest, game and furs have become scarce, and the only way money is made, if made at all by trading, is giving the Indian the worst of the bargain.

In closing this communication I will remark, that the white population, as well as the Indian, appear to rejoice that the time is so nearly approaching when the latter will be removed from the vicinity of the former, where they may for many years be permitted to enjoy their homes in peace and quiet, affording them an opportunity to improve their condition without those annoyances and adverse influences which prevail while living in close contact with a white population.

Very respectfully, your obedient servant,

NATHANIEL McLEAN,

Indian agent.

His Excellency ALEXANDER RAMSEY,

Superintendent Indian affairs, St. Paul's, Minnesota.

No. 46.

SAINT PETER'S, August 30, 1851.

SIR: Another year has nearly passed since I made my last report of the farming operations among the Sioux Indians. In the past year many events have taken place among the white and red people; the great floods of water have reached the valley of the Minnesota river; the Indians say the thunder has burst up the fountains, and sent forth great floods of water. The valley of the Minnesota has been overflowed three times in seasons since last spring. Tradition gives no account of such an event. For lands of the Sioux planted in the valley of the Minnesota river; their corn-fields were all swept away; a fifth lost part of their corn-fields. Three villages only have their corn-fields on high land; their corn is good. Our reports, having been called for a month earlier than usual, I have not been able to collect such statistical information as I wished to do, and my report is only of our farming operations. One blacksmith has handed in his report of work done for the Indians: this is Mr. V. Chatel. He reports to have made, of different kinds of articles for the Indians, 2,506 pieces, and repaired for them 1,430 pieces more during the last year. The other smith has not handed in his report of work done for the Sioux, but I think he has done about two-thirds as much work as Mr. Chatel; which will make in all 6,560 pieces made and repaired by the two smiths. The farmers have planted more land than usual, but their labor, as well as that of the Indians, has been for the floods to wash away. Three bands that have raised some corn will have a yield of about thirty bushels to the acre, in-

clothing what they waste in gathering; the three villages will have about one hundred and fifty acres of corn, which, rated at thirty bushels per acre will make 4,500 bushels for three bands. One band have lost about half of their crop by high water, and, with the three other bands that have lost their entire crops, no doubt will suffer for food the coming winter.

The ten carts and harness, besides some plough harness have all been issued to the Indians, but they have not made much use of them, but have quarrelled about them, every one saying he had an equal right to the carts. The stoves you furnished them, some of them have been used and some not, one chief gave his stove away, and the probability is, that some of the rest will do the same thing. It was to be hoped that the Indians would purchase some provisions with some part of the thirty thousand dollars they received from the government, but I believe a large amount has been laid out in the purchase of old broken down and worn-out horses. No doubt half or two-thirds of them will die this winter. The Indians were advised by you and other friends to purchase some provisions, but they appeared to be heedless to all good counsel, and run into misery when they could avoid it in many instances. The manners and customs of the Indians are yet unchanged: the men love to live in idleness and mischief, and there has been more conjuring and witchcraft going on this summer than I have known for many years. The Indians have received thirty thousand dollars, and in about three weeks we see them about a begging and borrowing as usual.

Since writing this report, some of the farmers have handed in their reports. They report to have hauled timber for several new buildings, to which lumber has been furnished to cover them; the farmers report to have made from twenty-five to thirty tons of hay each, for the Indian horses they report, also, that the Indians are very wasteful in gathering their corn so early. They do this, they say, so they can get early to the cranberry swamps. The Indians report that there is a large quantity of cranberries this season.

A treaty has been made, and we long to see it ratified, and the Indians moved to their new homes, so something permanent and useful may be done for them. In their present places of residence, so scattered about, nothing is a measure, can be done towards civilizing them. The Indians have been quite temperate until of late; some of them have been drinking whiskey pretty freely: among the drinkers is one of the principal chiefs, (Lil Crow.)

The commissioners warned them again and again about spending the money for whiskey; also the agent has given the same advice; but money and whiskey are great temptations, and too often too great for them to resist.

Your obedient servant,

P. PRESCOTT,

Superintendent of farming for the Sioux.

To Major N. McLEAN,

United States' Indian agent, St. Peter's.

No. 47.

Fifth annual report of the mission school at Kaposia, taught by Miss J. S. Williamson, for the year ending August 27, 1851.

As this report has been called for a month earlier than usual, the time covered in it but little exceeds eleven months. In this time there has been about four weeks vacation, making a little more than ten months school. An accompanying table will show the names, studies, and supposed ages of the scholars, and another, specimens of their handwriting. The whole number enrolled is thirty-seven. Of these, three study Morse's geography and Smith's arithmetic: eight read the Scriptures in both English and Dahcota, and write, and one reads English who does not write nor read Dahcota: thirteen who do not read English, read Wowape Wakan, translation of a part of the Bible into the Dahcota; four spell and read in McGuffey's eclectic primer and Dahcota Wowape Metowa: eleven are learning to spell in Dahcota and English. Counting sixty days for a quarter, the attendance is found to average as follows: first quarter, seven scholars, second quarter, six and a half; third quarter, eleven and two-thirds: in forty days of the quarter, fifteen, making the average for this year three greater than for last. These numbers are all exclusive of my own children, four of whom have attended regularly and been taught with the others. The increased attendance over the last year is owing partly to the increased number of boarded scholars, and in the present quarter partly to the cessation of Mr. Cook's school. As the time drew near in which the question must be settled about the money which they had been told by the officers of the United States government should be expended for education, and in no other way, and which they were told by others they might get in cash if they would keep their children out of school, opposition to education became more violent, and those attending school suffering their children to attend were persecuted, and represented as thieves and robbers of their people. In consequence of this, the attendance of full-blooded Dahcota children living with their parents has been less than in former years. The number of such enrolled is nineteen, and about a dozen others have attended a few days. Several of those enrolled have not attended over one or two weeks. The three girls for whom provision has been made from your office to Mr. Robertson are all in the first class, and learning well; two of them are full-blooded Dahcotas. Two full-blooded Dahcota girls have been boarded at the expense of the B. C. F. M., one of them for three months, and the others during the whole time of this report. One of these is in the first, one in the second, and two in the fifth class. It is believed that the twelve who are of mixed blood are all, by request of the chiefs and braves of the Medawakantoon band, enrolled among those entitled to share in the annuities promised by treaty of 1837, from which it would seem that they have an undoubted right to share in all the benefits which can arise from any funds belonging to the tribe for educational purposes.

All the scholars who read English understand and speak it more or less, but as Dahcota is the mother tongue of all, they cannot be expected to make good progress in any English studies, except simply learning to read it, as if it was their mother tongue. It is not difficult to teach any who will attend school regularly to read the English language; but we

have never succeeded in teaching any to understand or speak much of it until they have resided for some time in a family where it is the spoken language. Hence appears the importance of placing as many of the children as possible in such families; for in this way alone are they likely to acquire any useful knowledge of our language, which our government regards so important that they should learn. In this way, also, they may best acquire the habits, and learn something of the economy of civilized life—a kind of knowledge not less necessary than that of letters and our language—to enable them to sustain themselves in the reservation to which it is expected they will be confined in a few years.

I think any person who will examine those mentioned in this report will readily admit that they have made as good progress in acquiring useful knowledge as could reasonably be expected in their circumstances.

At the same time it is evident that they have not learned, and are not likely to learn, as situated at present, all that it is desirable that some of the tribe should learn, in order that it may be seen what education can do for them. In order, therefore, that they may be enabled properly to appreciate the advantages of learning, and to provide them with teachers from among themselves, would it not be well to send a few of the most promising of each sex that can be obtained to some literary institution, where they may receive a more thorough education than it can be expected they will acquire in an elementary school, where orthography is the principal study of most of the scholars? It is true, if sent to a distance and placed in any respectable school, besides travelling expenses, more than fifty dollars per annum must be paid for board and tuition, &c. But the best economists send their children to the best schools, though it may cost three or four times fifty dollars per annum to sustain one. The Indian department have the control of funds belonging to the tribe applicable to educational purposes, and would it not be wise, economical and kind to use a part of these funds in giving the best facilities for education to some of the few who are willing to be educated.

Respectfully yours,

THO. S. WILLIAMSON.

To Major N. McLEAN.

Indian agent, St. Peters.

Names of the scholars who write in Miss J. S. Williamson's school, in their own handwriting, August 29, 1851.

Andrew Woods Williamson.

Nancy Jane Williamson.

Mary H. Napexni.

Ampeter Iyotankerom.

Lucy Welch, or Waxeetkooyekow.

Nancy Newton, or Hapan.

Fanny Huggins, or Hapetecia.

Margaret J. Voris, or Shentewackerom.

Thomas A. Robertson.

Marion Robertson.

Names, studies, and supposed ages of the scholars of Miss J. S. Williamson's school at Kaposia, August 27, 1851.

First class read the Bible in English and Dahcota, and study Morse's School Geography and Smith's Arithmetic.

12. Thomas A. Robertson.

11. Marion Robertson. 11. Mary H. Napexin.

Second class read the Bible in English, and, except the last, in Dahcota and write, and study the Pictorial Tract Primer.

11. Lucy Walsh. 9. Henry Winagioine.

14. Margaret J. L. Menzenketon. 12. Isaac Renville.

10. Fanny H. Hapistina. 9. Angus M. Robertson.

Third class read Wowape Wakin and Inowpa in Dahcota.

11. Margaret Culbertson.

11. Hopen Tul. 14. Cajizatemen.

16. Waxicun Renville. 12. Wakanholewen.

10. Tunken Wakan. 12. Homyeterwon.

16. Sinkpre Maza. 12. Woxtuzatewin.

15. Sopye Wageniranpewin. S. Dutæ.

14. Mazazinewin. 20. Perry Makota.

Fourth class spell and read English in McGuffy's Eclectic Primer, and Dahcota in Wowape Metawa.

10. Daniel Renville. 10. Rosalie Renville.

7. Gustavus A. Robertson. 11. Fat Duty Win.

Fifth class spell in English and Dahcota.

5. Frances A. Robertson. 11. Marpenzeotewin.

3. Sophia M. Robertson. 20. Waxtemna.

5. Susan B. E. Waxtongankewin. 10. Jemm.

5. Emma C. Wenona.

Sixth class learning the alphabet.

14. Wadan. 5. Albert Wowonape.

7. Hanzetawoktewe. 5. Wakanka.

The figures immediately before the names denote the supposed ages of the scholars.

No. 48.

The sixteenth annual report of the Lac qui Parle mission station, under the care of the A. B. C. F. M. Laborers for the year past: S. R. Riggs, missionary; Jonas Pettijohn, farmer; Mrs. Riggs, Mrs. Pettijohn.

LAC QUI PARLE, August 30, 1851.

For four and a half months we taught a Dahcota day-school at the mission, having for a part of the time the assistance of a native young man. The whole number of scholars enrolled was over sixty: but the average attendance was only a fraction over sixteen. They made about the usual progress. The greater part were learning to read their own language; only six took lessons in English. For three months we had a class of young men who attended in the evening. They read a chapter in the English New Testament, and then I drilled them for an hour in arithmetic;

after which Mrs. Pettijohn gave them a lesson in music. Since the Indians returned from the treaty of Traverse des Sioux, a native young man has been engaged in teaching at one of the villages. The appearance of the "Dakota Friend," the first number of which did not reach us until mid-winter, gave quite an impulse to education. Several young men, who had not before attempted it, immediately commenced learning to read, and in a few weeks had so far advanced as to be able to make out the meaning by spelling. Nearly fifty copies were subscribed for at this place, about three-fourths of which have been paid for. At one time we had five children, some of mixed blood and some altogether Dakota, boarding in the family of this station: at present there are only two. All whom we have thus kept have made quite commendable progress in learning to talk the English language. One object in taking children into our families is that a commencement may be made for a manual-labor boarding school. Two or three in a family, associating with our children, learn to speak English more rapidly than if fifteen or twenty were at once placed together in a school. The attendance during the last winter in our Sabbath school and on religious services was greater than in former years. I solemnized three marriages, the parties in which, with one exception, were full-blooded Dakotas.

The Indians at this place, notwithstanding the scarcity of seed-corn this spring, planted about their usual extent of ground, and are now commencing to gather in a good crop. They did more ploughing without assistance than they have done in past years, which we regard as evidence of progress. The ploughs furnished them by the government are valued and used, and a request is made for more, that they may all be accommodated in season.

Yours, truly,

S. R. RIGGS

To Major N. McLEAN, *Indian Agent.*

No. 49.

RED LAKE MISSION, September 1, 1851.

DEAR SIR: In conformity with your instructions of May 22, I send you the following report of the mission schools at Red lake, Cass lake, and Lake Winnipeg, Minnesota Territory, for the year ending May 31, 1851.

At Red lake a school has been taught nine months. The number of scholars registered is twenty-one; average attendance, nine. All have been taught to read and spell in English and Ojibwa; three have been taught to write, and are now able to write a legible hand. Nearly all now in attendance have joined the school during the year, and have made rapid progress; four have been boarded and clothed entirely by the mission. Most of the children enter the school almost, and some entirely in a state of nudity, and we are obliged to furnish them clothing.

At Lake Winnipeg a school has also been taught nine months. Number registered, 18; average attendance, 10.

Reading and spelling only have been taught. The children have been so irregular in their attendance that comparatively little progress has been made: some, however, are able to read in easy reading. That band cult-

vain but little, and consequently are in very destitute circumstances most of the year.

The school at Cass lake has been very irregular during the past year, in consequence of prevailing sickness a part of the year, and their entire destitution of food the other part; consequently I can give no definite report of the length of time taught or the number in attendance. Two Indian children have been taken into the mission family, both of whom are now able to read well and converse freely in English. In past years this school has been larger than either of those at the other stations.

A considerable class of young men and women have heretofore attended that school, who have now passed from under the instruction of their teachers. Owing to the destitute condition of these Indians, they have been obliged to roam about the country most of the year in search of food.

The prospect of success at Red lake is more encouraging than at either of the other stations. The band at that place will raise the present season an abundant supply of corn and potatoes; they are becoming more industrious, and making more rapid improvement than any other band in the Territory. They are beginning to feel, in some measure, the importance of educating their children.

The appropriation made by the department will enable the mission to enlarge their operations considerably, and take a number of children into the mission families to feed, clothe, and educate, which seems to be the most effectual means to civilize them and improve their condition.

While the children remain with their parents, and are dependent upon them, they must unavoidably be very irregular in their attendance at school, so that much of the labor bestowed on them is lost.

During the past winter there was a great scarcity of provisions throughout this part of the country, except at Red lake; some fifty families from other bands wintered at Red lake, for the sake of begging their living from those Indians: they will usually give to those who are in want, until their last vessel is consumed. In consequence of giving away their provisions to those who were starving, many families at Red lake were left entirely destitute before spring opened.

The soil at Red lake is the best I have seen in the Territory, and produces abundantly almost all kinds of grain and vegetables; the lake also abounds in excellent fish.

The missionaries have raised this year an acre and a half of winter wheat, which yield forty bushels per acre. They have a small piece of winter rye, which is the best I ever saw in any country. Their corn yields from fifty to seventy-five bushels of shelled corn to the acre; potatoes yield abundantly, and are of a better quality than can be raised in the States. Some of these Indians have what may with some propriety be called fields of corn: most of them have from two to three acres. Some of their gardens have been cultivated for more than thirty years in succession, without manuring or ploughing, and still produce from thirty to fifty bushels of corn per acre. Their good soil, however, consists only of a narrow strip of land along the margin of the lake, from forty rods to three-quarters of a mile in width; enough, however, to produce sufficient food for all the Indians in the Territory, if they could be induced to settle on and cultivate it.

Our mission farmer is not able, with his other duties, to plough for them as much as they need and are disposed to cultivate. He has usually

ploughed what new land they clear from year to year, and they dig up their old ground with hoes.

I hope some provision will be made by the government to supply them with a farmer and agricultural implements; thus far they have depended entirely upon the mission to supply them with axes and hoes. A blacksmith would be of great service to them. If some means can be provided, by treaty or otherwise, by which the mission can be relieved from these expenses, it will greatly facilitate our operations among them.

I have just visited a band of Ojibwas, on the north side of Red lake, who have for some years been urging us to send them missionaries. There are, as near as I can learn, about three hundred souls in that band; they are more isolated than any other band in this part of the country, but have an excellent location, and more children, according to their number of families, than any other band I have visited. They greatly need assistance, and I have concluded to establish a mission among them next spring.

Under all the circumstances, I have thought it best to expend the present year \$400 of the amount appropriated by the department for educational purposes among these bands at Red lake, and the remaining \$200 at Lake Winnipeg. Our operations at Cass lake will be sustained the present year from other sources.

We expect to increase considerably the number of boarding scholars the present year, especially at Red lake; and if it is consistent with the views of the department, and can be done without injustice to other interested parties, I hope the appropriation will be continued from year to year, and considerably increased.

In order to succeed in this enterprise, it must be prosecuted with energy, and well sustained; and I trust the department will afford us every facility in their power.

Yours, respectfully,

S. T. BARDWELL,
Agent of A. M. A.

Hon. L. LEA, *Department of the Interior,*
Commissioner of Indian Affairs, Washington, D. C.

No. 50.

RED WING'S VILLAGE, August 30, 1851.

SIR: I have the honor to submit the following report of the school at this village for the past year. From the date of my last year's report till the middle of September, there continued to be a very good attendance at school; at that time, corn harvest being over, our people all left the village for their winter hunts. A few families returned and encamped near us during the months of February and March, and seven children came to school occasionally, but many did not return till near the end of April.

Since the first of April we have been able to keep up a regular school; the number of pupils have been somewhat less since the treaty was made than before. The whole number enrolled was fifty-six—boys thirty-one, girls twenty-five. The highest number that have attended school in a single day is forty-two; the average number per day, from April 1 to August 30 is a fraction over twenty-one. Reading, spelling, writing and singing

have been taught both in English and Dakota languages. Commendable progress has been made by all the pupils in proportion to the time spent in school.

The girls have been employed during a portion of their school hours in knitting and sewing, under the direction of Mrs. Aiten, with the following results: Garments completed for themselves—twelve calico dresses; four short gowns, Indian style; twelve shirts; three pairs of mittens; several pairs of stockings and mittens are begun, but not completed.

A Sabbath school was organized the first Sabbath in May, which still continues attended by about the same number of scholars as the day school.

Respectfully, yours,

J. W. HANCOCK.

N. McLEAN, Esq.,

United States Indian Agent.

No. 51.

OAK GROVE, *August 22, 1851.*

DEAR SIR: In compliance with your request I send you a report of this season. The disposition of the Indians towards us, as religious teachers, remains about the same as formerly, and I need not attempt to inform you of this subject.

They have been absent from the village much the greater part of the time for a year, owing to the loss of their crops. Of course we could have but little access to them, especially as they will rather shun us than put themselves in the way of receiving any instructions from us.

We have not thought it best to harass them by an attempt to get their children into school, since my last report. We have, however, a small school at the station. The whole number of names on the list is eighteen, including our own children. The average attendance for the year has been about ten. Three of the children are full-blood Indian girls, one of whom boards with Mr. Titus, the Indian farmer, and attends constantly; the other two are very irregular in their attendance. Most of the children, except the three named above, are of mixed blood.

The branches which have been taught are reading, writing, grammar, arithmetic, geography, history, and natural philosophy, together with composition. We think the progress has been good in most instances, and quite remarkable in some. The English tongue only has been taught in our school.

It affords me pleasure to be able again to say that the Indians of the band continue to abstain from the use of intoxicating drinks, with very few individual exceptions. How cruel that the *white man* should ever "put the bow to the mouth of the Indian."

Respectfully, yours,

GIDEON H. PONCE.

Major McLEAN, *Indian Agent.*

No. 52.

KUPONA, August 21, 1851.

The school under my care has during the last year numbered, daily attendance, seven; number enrolled, twenty-one. The reasons why the number has not been greater are the same as those mentioned heretofore. What influence the late treaty may have upon them remains to be seen. That the present system of education is entirely insufficient, either to meet the wants of the Indians or give satisfaction to those engaged for their welfare, is perfectly obvious. I would recommend, therefore, that it be abandoned as soon as possible, and a more efficient system adopted.

Yours, respectfully,

S. M. COOK.

N. McLEAN, *Indian Agent.*

No. 53.

FORT LARAMIE, September 21, 1851.

DEAR SIR: In obedience to the orders of your department I proceeded to the territory of Utah, and reported myself to his Excellency Governor Young, *ex officio* superintendent of Indian affairs for that Territory, on the 9th day of August.

On my route to Utah I passed many trains of emigrants, some for Oregon, some for California, but mostly for Utah. I found many of them in great distress, from depredations and robberies committed by the Indians: some were robbed of all their provisions, and even of the clothing on their backs; many had their stock stolen, &c.

These depredations, so frequently occurring, compelled them to collect together so many teams, in order to have a force sufficient to defend themselves, that they were unable to get grass for their cattle: they could not let them go out of their sight to graze for fear of having them stolen by the Indians, but kept them in corral at night, the Indians being constantly hovering about them. Consequently their teams were daily giving out, and the road was strewn with the dead, wagons, and other property destroyed, to the great injury of the emigrants.

The Indians who reside about and below Fort Laramie were thought to be the principal aggressors; the Crows occasionally.

The emigrants not being able to distinguish one tribe from another, were equally fearful when they arrived in the territory of the Shoshonees, or Snakes, whose country embraces a portion of Oregon Territory, a portion of Utah, and a portion of the St. Louis superintendency: they therefore continued their practice of coralling their stock, still apprehending danger.

The Indians below having been publicly invited to the treaty at Laramie, and, as I understood, would generally attend, I thought it advisable to endeavor to get the Shoshonees to attend also, believing that it would promote the interest of the country and the Indians, and greatly benefit the vast number of emigrants who were daily passing the road.

I believe, also, that it would not only meet the approbation of the Department, but that it was greatly desired to have them there, as the main route for emigration passed through their country. I was justified in this

opinion from a conversation held with you on the subject of the Indians in Utah, in May last, at Washington, in which you expressed the wish that they, or as many of the tribes as could be got, should attend.

Believing, therefore, that it would be beneficial to the Indians and the country, and believing that it would secure to the emigrants peace and safety in travelling the country: in short, believing it to be my duty, when I reached the country of the Shoshonees I immediately hired an interpreter and guide, collected some of their chiefs and braves, and made arrangements to attend them to the treaty at Laramie. I then hurried to Salt Lake city, and reported to Governor Young the arrangements I had made; it met with his approbation, and he ordered me to fulfil my engagements with the Indians.

I immediately returned and met the village assembled on Sweet Water, about fifty miles east of the south pass. On the 21st of August I had a talk with them, which resulted in their selecting sixty of their headmen, fully authorized to act for the whole tribe; we arrived at Laramie on the first day of September.

I regret that Col. Mitchell so construes his powers and instructions as to exclude them from being parties to the treaty, believing that they are not properly in his superintendency, but that they belong to the superintendency of Utah. He has, however, expressed much gratification at their being here, and will give them presents with the rest of the Indians, which will be, I hope, satisfactory to them. They are a tribe who have been uniformly friendly to the whites, and seem to have great confidence in and respect for them.

I have given you above my reasons for the course I have pursued; I hope they may meet your approbation. Col. Mitchell and Maj. Fitzpatrick will explain to you more fully all matters connected with my operations in this particular. I shall, however, as soon as I return to Salt Lake city, make a report in full, and forward to your department.

If it can be done, and you should deem it advisable, I would like to have more particular instructions in relation to my duties and powers. I find much excitement among the Indians, in consequence of the whites settling and taking possession of their country, driving off and killing their game, and in some instances driving off the Indians themselves.

The greatest complaint on this score is against the Mormons; they seem not to be satisfied with taking possession of the valley of the Great Salt Lake, but are making arrangements to settle other, and principally the rich valleys and best lands in the Territory. This creates much dissatisfaction among the Indians; excites them to acts of revenge; they attack emigrants, plunder and commit murder, whenever they find a party weak enough to enable them to do so; thereby making the innocent suffer for injuries done by others.

I find, also, another class of individuals—a mixture of all nations—and although less powerful in numbers, equally injurious to the country and the Indians—these are a set of traders, called here "*Freemen*," who are settled around and among the Indians; some have married among them; all, however, have an influence, which is exerted to serve their particular personal interests. This is operating against the interests of the Indians and the country, and tends greatly to prevent the agents from doing that which is required by the department.

These scenes are transacted so far from the officers of the law, and by a

set of men who are somewhat lawless, that it will require extreme measures and some force to relieve the country of them. With regard to all these matters, I would like to have particular instructions.

I am of the opinion that it would be greatly beneficial to the interest of the Indians to have an agency established for the Shoshone tribe, and located on Green river, at or near the ferry or crossing. It is on the main road, and is one of those places where the "*Freemen*" generally collect in the spring to prey upon the misfortunes and necessities of the emigrants. The Indians are consequently drawn there; and I am informed that they have induced Indians to drive off the stock of emigrants, so as to force them to purchase of the "*Freemen*" at exorbitant prices; and, after the emigrants have left, make a pretended purchase of the Indians for a mere trifle, and are ready to sell again to the next train that may pass, and who may have been served in the same manner.

I think that a treaty with the various tribes of Indians in Utah would be productive of much good, if held immediately. It would have the effect of preventing depredations on their lands, quieting their excitement against the whites, and ultimately save the government from much trouble and expense.

If the department should agree with me on this subject, and Congress will make provision, I can have them assembled at any point in the Territory during the next spring and summer.

It would be of great importance to order a delegation of the principal men, say two or three from each tribe, to visit the States and Washington city during the session of Congress. They have no idea of the power of the government; many think that the emigration they see passing and repassing through their country comprises the principal portion of our population; and, like themselves, having killed all the *game* in our own country we are travelling in pursuit of a better, and that very soon none will be left behind.

All these matters I submit to the department, after a very hasty view of the condition and interests of the country, and shall with much pleasure obey any wish or instruction of the department.

I have the honor to remain, very respectfully, &c.,

JOHN H. HOLEMAN.

Hon. L. LEA,

Commissioner Indian Affairs.

No. 54.

DEPARTMENT OF THE INTERIOR,

Office Indian Affairs, April 5, 1851.

SIR: Pursuant to the provisions of the act making appropriations for the service of the Indian department, approved 27th February, 1851, Richard H. Weightman, Abram R. Woolley, John Greiner, and Edward H. Wingfield have been appointed agents for the Indians in New Mexico. They have been directed to report to you for such instructions as may be necessary for their government; and you will, therefore, assign to them such positions within the Territory, and to the performance of such duties as may in your judgment seem best calculated to promote the public interest.

It is confidently hoped that these officers, though few, may by an active and faithful discharge of the important duties committed to them, prove valuable and efficient aids in the administration of Indian affairs within your superintendency.

Very respectfully, your obedient servant,

L. LEA, *Commissioner*

His excellency J. S. CALHOUN,

*Governor and ex officio Superintendent of Indian Affairs,
Santa Fe, New Mexico.*

No. 55.

DEPARTMENT OF THE INTERIOR, 2

Office Indian Affairs, April 12, 1851. 1

SIR: The third section of the "act making appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June the thirtieth, one thousand eight hundred and fifty-two," approved 27th February, 1851, is in the following words: "*And be it further enacted, That hereafter all Indian treaties shall be negotiated by such officers and agents of the Indian department as the President of the United States may designate for that purpose, and no officer or agent so employed shall receive any additional compensation for such service.*"

The governor of New Mexico, as ex officio superintendent of Indian affairs, and the agents of the Indian tribes therein, are designated to negotiate treaties with the Indians in that Territory, and they are authorized under your directions to act either separately or jointly, according to the exigencies of the service.

I have been informed that it is contemplated to increase the military force of New Mexico, with a view to the prosecution of hostilities against the Indians. In that event it will be necessary that one or more of the officers of this department shall accompany each detachment of troops sent against the Indians, so as to be in readiness to act in that capacity as occasion may require.

What particular negotiations may be required it is impossible for this office to foresee, nor can it give any specific directions on the subject. Much must be left to the discretion of those to whom the business is immediately entrusted.

It is proper, however, to state that, in reference to this matter and all others pertaining to the conduct and management of Indian affairs in New Mexico, the government desires and expects that there shall be the utmost harmony and concert of action between the officers of the army and of this department.

I am advised by the Secretary of War that instructions to this end have been given to the officer in command of the army in New Mexico, and I trust nothing will be wanting on your part to give effect to the wishes of the government in this important particular.

Very respectfully, your obedient servant,

L. LEA, *Commissioner*.

His excellency JAMES S. CALHOUN,

Governor, &c., Santa Fe, New Mexico.

No. 56.

INDIAN AGENCY,
Santa Fe, New Mexico, February 2, 1851.

SIR: During the month past the Indians have been active in every direction, and for no one month during the occupancy of the Territory by the American troops have they been more successful in their depredations. Early in January they drove off a quantity of stock from near the pueblo of Isletto; about the 15th of the same month the Navajos made a descent upon Corvales, a Mexican town upon the Rio Grande, seven miles above Albuquerque, drove off all the stock they could find—quantity unknown—killed one man, wounded two, and carried off a captive. About the 25th, near Pecos, twenty-five miles from Santa Fe, on the road to San Miguel, the Indians drove off several large herds of sheep and other stock, killed three pastores, and wounded another.

A band of Utahs have recently visited a settlement on the St. Charles, near the Arkansas river, and carried off all the provisions, animals, and money that they could find, and one captive. During the month of January the weather was extremely moderate, and the Apaches and Navajos have roamed in every direction through this Territory. I have reason to believe they assume the guise of Pueblo Indians, and come into this city.

While at Albuquerque a few days ago I ascertained the *reprisal* expedition, of which I have heretofore advised you, had returned, and the prefect informed me he was having prepared an official report for Governor Munroe. I begged him to furnish me with a copy of it, and I herewith enclose to you a translation of the report, and a letter addressed to me accompanying. Both of these papers exhibit a state of feeling deeply to be regretted, and if it was not important that you should be fully advised as to the true condition of affairs in this Territory, I would not forward them to you.

Years.	Sheep.	Horses.	Mules and asses.	Cows.
1846	11,243	167	110	80
1847	24,333	307	217	210
1848	28,502	137	197	271
1849	24,754	200	137	522
1850	68,300	22	91	151

The foregoing table is an approximate statement of losses in the counties of Santa Ana and Bernalillo, without including a large amount of government stock, for the years as indicated. I have not been able to procure similar information in reference to the other counties: but this table may be regarded as a fair specimen for the Territory, and is worthy of serious consideration.

I am, with great respect, your obedient servant,

J. S. CALHOUN, *Indian agent.*

Hon. L. LEA,

Commissioner of Indian Affairs,

Washington, D. C.

PAPARITO, *January 29, 1851.*

RESPECTED SIR AND FRIEND: In compliance with the request you made me during your visit to Albuquerque a few days ago, in regard to the depredations committed by the Navajo tribe, and the assistance rendered by the troops stationed at Socorro and Cibola when called upon so to do, I now proceed to inform you to the best of my ability, and in accordance with the facts I have been able to collect during so short a period.

By the accompanying copies, marked 1 and 2, you will ascertain the incidents of the expedition of Ramon Luna, prefect of Valencia, to the Navajo country.

The first will inform you of the assistance he demanded of the commander of Cibola, and his reply, the circumstances which compelled him to advance into the Navajo country, and the events that transpired during his campaign. The second will inform you of the assistance demanded of the commander at Socorro by the alcalde of that place.

As regards the depredations committed in this country, they are as follows: On the 20th of June, 1850, the Navajos ran off, at Puerco river, the stock of Jose Antonio Chavez, Jose Rafael Sanchez, Manuel Padillos, and Felipe Herrera. All those interested started in pursuit of the Indians, while Francisco Chavez went to Cibola to demand assistance of the troops at that place, which he obtained; but it was of no use, as they returned the next day to their quarters. Francisco Chavez, with the few men he could collect at Cibola, followed in pursuit of the Indians and overtook them, but unfortunately they were too strong. He made an attempt to recover part of the stock, but was compelled to retreat, with the loss of five saddled mules, and five men wounded, including himself.

Being at Cibola on the 21st of October, 1850, about sunrise, our Navajo ally informed the commander that the Navajos were running off the stock of Juan Garcia and Rafael Mejicano, distant about fifteen miles. The troops were ordered out, but returned the next day; the stock was gone, and no reason assigned for the return of the troops.

On the 24th of the same month the Navajos ran off 3,869 sheep belonging to Jose Antonio Sarracino, at Agua Salado, and two men were killed who were pasturing them. Nothing was known of the affair until four or five days after the robbery took place.

On the 7th of December, 1850, at three o'clock p. m., the same Navajo Indians ran off from Rincon de Concha the stock of Francisco Sarracino, and 15,222 sheep belonging to Jose Francisco and Jesus Apodaca. Taking a northern route, they passed ten miles to the east of Cibola. Jesus Apodaca, on being informed of the occurrence, went immediately to demand assistance from the commander, taking with him as interpreter a soldier by the name of Molinete. The commander, I am informed, ordered out seven men to examine the trail. When they arrived at the spot where the stock had passed, their tracks were scarcely visible on account of the snow that had fallen the night previous. The result was, that the soldiers turned back and went to their quarters.

On the 31st of December last it was known in the prefecture under my charge that the Apaches had stolen, four or five days previous, from the river Puerco, more than one hundred head of cattle from the town of Isleta. I immediately ordered out forty men, who started on the 1st of January under the command of Ambrosia Beita. Following out the trail they overtook the Indians on the morning of the 6th in the Telares moun-

tains. They made an attack on them, recovered the stolen property, wounded two of their number, and took from them four saddled animals and other spoil.

This is all the information I can give you at present in regard to the incursions of the Indians. The depredations they have committed on the lives and property of the inhabitants of this district are so numerous, and of so frequent occurrence, that it would take considerable time to collect the information of past injuries.

Without any further information at present, I subscribe myself,

Your most obedient servant,

FRAS. SARRACINO, *Prefect.*

Mr. JAMES S. CALHOUN.

No. 1.

LUNAS, January 20, 1851.

SIR: Under date of the 16th of November last I received a communication from Messrs. Andres Romero and Anastasio Garcia, citizens of the county under my jurisdiction, informing me that the Navajos had robbed them of two thousand sheep, at the point called Valverde: I immediately issued orders to the alcaldes of the county to collect the best men they could find, and be ready at the point of Cabero on the following day, while I proceeded to Cibola, to demand assistance from the commander of the troops stationed at that point, which I effected immediately on my arrival through a despatch, asking him for the mentioned assistance to proceed to the vicinity of the town of Luna, from where it was supposed the Indians would start with the stolen property; he returned me a verbal answer, that he would not give me the assistance I required, as the horses belonging to the troops were in a wild condition. From thence I was obliged to proceed with only fourteen men, which were furnished to me by the alcaldes, taking with me the clerk and sheriff of my county. I was reinforced by forty men, forming part of a volunteer company which was being raised at that time by permission of the commander of the troops stationed at Cibola, and which were going on an expedition to the Navajo country. With this reinforcement I proceeded to the vicinity of the Colorado lake, where we joined the balance of the volunteer company. There we succeeded in capturing five hundred of the stolen sheep. Finding myself at this point it was impossible for me to return with so small a number of men; I therefore went on with two hundred and ninety-two men to Mesa-de-la-Locala, there I divided my forces, and scattered them on the various routes to the Navajo country. I succeeded in chastising the Indians, and taking their stock, amounting to five thousand sheep, one hundred and fifty riding animals, eleven oxen and twenty-eight prisoners; also twenty-four men who were delivered to us by a Navajo who surrendered himself to save his life; we used up nearly seven hundred fanegas of their corn. With the spoils we started back without sustaining any loss whatever. On my way back I was unfortunate in losing some of my men for want of discipline. When we arrived at the mouth of Cañon de Chille, six of my men were killed, who left the camp without permission. Here we met an express, consisting of thirteen men; when we reached San Miguel they thought them-

selves out of danger; being near Ciboletta, they laid down without taking any precaution whatever, and were surrounded by the Navajos while asleep and defeated. Up to this time six of them have been found, four of whom are wounded, and the other seven are still missing.

While writing this communication I will also add, that some difficulty exists between the owners of the recovered stock and the captors. The former claim the sheep as their property, and can prove it by their brand; while the latter maintain that they are in the same position with the other goods, and subject to the same conditions. However, I believe the governor's decision will settle the dispute.

This is all I have to advise you of. You will please communicate the facts to his excellency the governor, for the purposes which he may direct.

RAMON LUNA, *Prefect.*

A true copy of the original.

FRCO. SARRACINO, *Prefect.*

HON. DONACIANO VIJIL,

Secretary of State of the Territory of New Mexico.

—
No. 2.

by virtue of a note dated the 6th, received from the honorable circuit judge, Antonio Jose Otero, advising me of the depredations committed on his property by the Apaches, with a request that I should inform the commander of the forces at Socorro, requesting him to furnish the necessary aid, we assembled at the point of Vecos, from whence we commenced our march, which proved fruitless, on account of the manner in which the Americans and their officers wished to travel. Their day's march was to be exactly five leagues, and it was necessary they should have abundance of water. I was so restricted by this mode of travel that I was compelled to return, not only on account of the danger to which I was exposed, as the manner in which the American officers would compel me to travel. We only travelled the distance of fifty leagues, which accounts for not carrying out the object of our expedition against the Indians.

I can say without exaggeration that my return was insisted on by the Americans, on the plea that I was to conduct them through places where they should have a sufficient quantity of water; finding myself in this condition, and observing a smoke to arise from the foot or northern extremity of the Sierra Blanco, I ordered off a detachment to that point. I was now abandoned by the men who accompanied me, and whom I left for lost on those plains, on account of the Americans who wished to lay the blame on the alcalde, and insisted that he was to furnish them with every thing necessary for their transportation. Finally, not to trouble your honor too much, suffice it to say, that it lacked but little that I should go to the devil in company with the Americans.

In addressing your honor this despatch, I do it with the highest considerations of friendship and respect.

J. A. BY. PIVO, *Alcalde.*

To Mr. R. LUNA,

Prefect of the county of Valencia

No. 57.

INDIAN AGENCY, SANTA FE, NEW MEXICO,

February 4, 1851.

SIR: Mr. Kem arrived here from Albuquerque last night, and has informed me that on Saturday last a band of Indians, supposed to be Navajos, made a descent upon some ranches, six or eight miles below Albuquerque, and committed depredations, the extent of which has not been ascertained. The daring of these Indians produced quite a sensation at and in the neighborhood of Albuquerque, inducing the court-martial to adjourn for the day. On the receipt of the intelligence, Lieutenant Pleasonton, in command of the dragoons, was ordered in pursuit, and it is hoped the cunning of the Indians will not avail them on this occasion.

I am, sir, your obedient servant,

J. S. CALHOUN,

Indian Agent.

Hon. L. LEA,

Commissioner of Indian Affairs.

No. 58.

INDIAN AGENCY, SANTA FE, NEW MEXICO,

February 16, 1851.

SIR: My No. 4 of the 4th instant advised you that depredations had been committed by Indians near Albuquerque. About thirty cows and other animals were driven off. The Indians were immediately pursued by the owners of the stock and other citizens, and after several hours of rapid travel, discovered the Indians retiring with the utmost speed. It soon became apparent that the Indians could not escape with *all* their booty, whereupon every animal of the cow kind was *speared* by them, and their escape effected. At or near the spot where the spearing occurred the pursuers encamped, and were overtaken by Lieutenant Pleasonton and his command. Further pursuit was not deemed advisable, and both of the pursuing parties returned.

The accompanying note addressed to me by Mr. J. V. Whiting, a reliable man, will give you a few additional items.

Subsequent occurrences.

Such scenes will continue to occur until the powers at Washington shall accord to the people of this Territory ample protection. If this is not afforded, the people must abandon the Territory, or consent to be murdered or starved to death, unless they are able and willing, and shall determine to protect themselves. I state the case as it is understood by me. Other conclusions may be promulgated, but factitious facts must be given to sustain such conclusions.

The Pueblo Indians

Are manifesting some impatience to know what their great father intends to do with them or for them. They are excessively annoyed by Mexican

and others. The encroachments upon their rights and privileges are innumerable. We have promised them protection, and yet there is a daily addition to the outrages previously perpetrated. I have been excessively annoyed for the last fifteen days by complaints from these Indians; and I suppose Colonel Munroe, the acting governor of this Territory, has not been less annoyed than myself. The governor *must* correct errors, or they *pass* without correction. There is no *power* in this Territory but what passes to the people through him or emanates from him. There are but few restraints that the bayonet does not suggest; and it is *well* there is something here to check vitiated and unbridled passions and purposes to some extent.

The Apaches.

It is already recorded, as a part of the history of the times in which we live, the Jicarillas, (Apaches,) the Indians who combined with others to murder and rob a portion of Mr. J. M. White's party at the "Point of Rocks" in October, 1849, and to seize the females as captives, are *now* the *pastores* of certain citizens residing below Albuquerque, some of whom they robbed in August, 1850, near the Cedar Creek springs. (See No. 79 of that year.) This remarkable fact can in no way derogate from citizens who desire the usual protection afforded to the people who live under the jurisdiction of the government of the United States.

An Apache chief and an aid, a servant of his, are now with me. The chief says he resides about midway between the *Copper Mines* and Pimo settlement, sometimes called villages. He talks in a very clever way; and if the Congress of the United States *have* done the needful, there will be, I apprehend, but little difficulty in controlling *these* Indians. I have given to the two Indians such presents as I deemed necessary, and they propose departing on to-morrow.

Utahs.

With the exception of the *band* mentioned in my No. 3, I have no reason to believe they have committed any outrages of late, nor am I advised as to the movements of *the band* since the date of my No. 3.

From a note addressed to Governor Munroe by O. H. Merritt, marshal, I learn that the aggregate of the population of New Mexico amounts to 61,574, including, as I have reason to suppose, soldiers, government teamsters, and Pueblo Indians. There are not, in my opinion, 300 American citizens in the Territory unconnected with the army, and many of these remain upon *compulsion*. The population of the Territory has suffered considerable diminution during the past year. The causes I have already placed before you, and the same causes are yet in full force.

The marshal's return of the census to the department will show, as I am informed by the assistant marshals, the population of the pueblos named below to be as follows:

Taos-----	361
Picaris-----	222
San Juan-----	568
Santa Clara-----	279
San Ildefonso-----	139
Pojoaque-----	48

Tesuque-----	119
Nambe-----	111
Zuni-----	1,500
Laguna-----	749
Acoma-----	350
Lentis-----	210
Isletta-----	751
Sandia-----	241
Cia-----	124
Santana-----	399
Jenies-----	365
San Felipe-----	411
Santa Domingo-----	666
Cochiti-----	254
Total-----	7,867

This, you will remember, does not include the two pueblos below El Paso, nor the seven Moque pueblos.

Aggregate of census return-----	61,574
Pueblo Indians-----	7,867

Americans, Mexicans, and all others----- 53,707

I am, with great respect, your obedient servant,

J. S. CALHOUN,

Hon. LUKE LEA,

Indian Agent

Commissioner of Indian Affairs, Washington city, D. C.

SANTA FE February 10, 1851.

DEAR SIR: In compliance with your request I give you a statement of some facts relative to the depredations committed by the Navajo Indians which were related to me during my recent visit to the lower country; as they were told me by persons of respectability, and in whose character I have the greatest confidence, I think I can vouch for their authenticity.

Three or four evenings previous to my arrival at Bernalillo I was informed that five Navajo Indians had driven off about twenty-five head of cattle from that place; they also killed a cow, and devoured it before starting, at Los Lunas: two men belonging to the town went out to inspect their stock, which was distant about five miles; the Indians came upon them while they were asleep, and after taking their lives and robbing their persons, ran off with the cattle also.

I intended going down as far as Socorro, but was persuaded not to do so, as the Indians were scouring the road in bands of one and two hundred. The danger is so great that persons will not travel that portion of the country, unless in large parties and well armed. I was also informed that one Indian alone, without any aid at all, entered a small town in the vicinity of Los Lunas and carried off twenty-five mules. Applications have been made several times to the troops posted in the vicinity demanding assistance, but to no purpose. It would not be worth my while to inform y

of their appearance at Albuquerque, as you are already acquainted with the facts.

The depredations referred to above have all occurred within the last two weeks: those committed at Los Lunas must have occurred very recently, as the people of that place have not yet recovered from their consternation and sorrow.

Yours, respectfully,

D. V. WHITING.

Hon. JAMES S. CALHOUN.

No. 59.

EXECUTIVE DEPARTMENT,
Santa Fe, New Mexico, March 31, 1851.

SIR: Your letter of the 22d January last was received on the 24th of the present month, and I trust your efforts to induce action upon the part of Congress in reference to Indian affairs in New Mexico have not proved abortive.

The Pueblo Indians have caused me much anxiety during the present month. Laguna and Acoma have had angry disputations, and the shedding of blood has been prevented so far by my sending an agent to their pueblos to compromise their respective claims to certain lands. They have agreed to abide his award. There is not a pueblo within one hundred miles of this superintendency that has not sent to me delegations during the month, to make known their grievances caused by encroachments upon their landed property around their pueblos. This topic, of great danger to the quiet of the Territory, has been so frequently presented for the consideration of the department, I deem it unnecessary to enlarge upon it.

The Navajos continue in small parties to commit depredations, and have not the slightest idea that we can effectually check them. They never regard the loss of a few men and captives. A few days since the Navajos drove off stock from near Manzana. The Apaches, whose localities have been in that neighborhood for months past, ascertained the fact, pursued the Navajos, recovered and returned the stock, and brought in a scalp; four men were wounded, and three have since died. The pueblo of Jemez are daily annoyed by them, notwithstanding the occasional loss of a man. The governor of the pueblo is now here, complaining that he has not the American protection promised, and begging for munitions of war; and the Territory is as powerless as the superintendency.

Sandoral, our Navajo friend near Ciboletta, returned about the 20th of the month from a visit to his Navajo brethren with eighteen captives, a quantity of stock and several scalps, having lost one man in the expedition.

The Utahs

Were with me on the 25th instant, and renewed their manifestations of pacific purposes, and reported they had not been able to hear one word in reference to Mrs. White, child, and servant. Up to this moment I have not been able to make any further discovery in relation to the fate of the

child and servant, notwithstanding I have had out a number of traders in every direction, who have ventured into the camps of the Utahs, and the Jicarilla and Mescalero Apaches; but I will not remit my exertions.

Apaches.

Lieutenant J. P. Holliday, 2d dragoons, left Albuquerque on the 18th with forty-four men, in search of Indians who had committed depredations in the neighborhood of Manzana. He found the camp of the Apaches near the Smoky mountains, sixty miles east of southeast of Manzana, about two hundred Indians in the camp, sixty of whom were warriors. The superior chief of the Apaches east of the Del Norte, Chacon, approached Lieutenant Holliday, and inquired the object of his visit; declaring, at the same time, he was for peace, and that his people had committed no depredations of a recent date, and at once agreed to return with the lieutenant; and he and others are expected here on the 3d of the ensuing month.

The Jicarillas and Mescaleros each have a subordinate chief with four warriors now at the superintendency. They came in on the 29th instant to ascertain whether I would entertain a proposition for a treaty of peace, and while engaged in a talk with them intelligence of Chacon's intention to come in caused a suspension of our mutual inquiries, and these subordinates will remain here until Chacon's arrival.

It is to be regretted that I am without instructions upon this subject. I have a very great aversion to groping my way in the dark; but in the absence of light my soundest discretion must be exercised, taking care to avail myself of all the information I may be able to procure, and the advice of intelligent gentlemen.

I am, with great respect, your obedient servant,

JAMES S. CALHOUN.

Hon. L. LEA,

*Commissioner of Indian affairs,
Washington city, D. C.*

No. 60.

EXECUTIVE DEPARTMENT,
Santa Fe, New Mexico, May 4, 1851.

SIR: On the 7th of last month, Indians, supposed to be the Apaches, made an attack upon a party of eight men, five Americans and three Mexicans, at a place known as the "Dead Man's spring," in the Tornado, north of Donama. One of the Mexicans was killed, another wounded, and also an American. The Indians soon retreated, carrying several of their party off, evidently dead or badly wounded. The number of Indians in the attack was fifteen, but others were seen some distance off. Several depredations have been committed during the month on both sides of the Del Norte. About the 15th of April, stock was driven off from near the Moro. Pursuit immediately ensued by a party of Mexicans, who succeeded, on the second day, in discovering the Indians, in a body too numerous to be assaulted by the pursuing party; Indians unknown. Quite a number of the Apache

with whom we made a treaty, are within fifteen miles of San Miguel and Los Vegas, and the people who reside near their lodges, are greatly alarmed; but as yet we know of no depredations they have committed. If there was an agent among them, and authority was given to furnish them with corn and a few other articles, these Indians would behave as well as others. If I had means, private or public, I would assume the responsibility, as the only possible mode to prevent serious outbreaks. But, sir, you know I am impotent, so far as means are concerned, and I cannot procure the assistance of reliable agents without the means of supporting them. All that I can do shall be accomplished, and if possible I will go out to the Apache camp on the 4th of this month.

The Comanches are assembling, so I am informed by traders, near the "Bosque Redondo," where they are to be in council with the Apaches. An agent should be there.

The Utahs remain quiet, but they are upon very good terms with the Navajos.

The Navajos have, or are removing from "Cheille" to the Rio San Juan, and picking their lodges upon both sides of the river. Upon the north side of the river they must mix with the Utahs.

We have information from Cibolletta and Abiquin; a deputation of these Indians desire to come in, and an opportunity is afforded them. They have heard of an expedition being fitted out against them, which they desire to prevent.

At no period since I have been in the Territory has it been so easy a matter to manage the wild Indians; but this state of things cannot continue many days without the necessary appliances.

The Pueblo Indians are daily complaining of impositions practised upon them, and I am sorely troubled at my inability to remedy their grievances.

The accompanying copy of a report will show the manner in which I have adjusted a serious difficulty between the Pueblos of Acoma and Laguna. Tulles, the agent, ought to be compensated for his services

I am, with great respect, your obedient servant,

JAMES S. CALHOUN.

Hon. L. LEA, *Washington City.*

I have the honor to inform you, that on the sixth day of April, 1851, I met, by appointment, the authorized agents of the pueblos of Lagun and Acoma, consisting of the governors, alcaldes and cacique, and many other subordinate officers.

After examining each and all of their claims, I deferred giving my decision until the twelfth day of April, during which interval I proposed to examine the lands, without the presence of the Pueblos, and to collect all the information that could be obtained in the neighborhood relative to the controversy.

I learned that several times the claims of the respective parties had been referred to the Mexican authorities, (prior to the occupation of the country by the United States Government,) and decisions had been given.

On the 12th day of April, I met the agents of both the pueblos at Laguna, and informed them that I had altered the late line of boundary between them (run by A. L. Dodge) which made a creek, running through the lands in dispute, the dividing mark.

The lands lie between two ranges of mountains, and the creek for many miles runs close to the base of the mountains on the side given to the Lagunas, and this it was that had given rise to the dissatisfaction.

I further informed them that I had made a line running at right angles with the creek, making a mountain span and a large rock the terminating points; thus giving to the Acomas a portion of the disputed territory adjoining the lands acknowledged to belong to them, reserving to the Lagunas the privilege of harvesting some fields which they had planted, but which, by my decision, were included within the tract assigned to the Acomas.

With this decision the Acomas expressed themselves satisfied, and likewise the Lagunas, with the exception of the governor, who was dispossessed by this arrangement of a few acres cultivated by him.

Further, according to the instructions of your excellency, I examined the case in controversy between the Laguna Indians and the Mexicans living contiguous, relative to the northern boundary of the former.

From the configuration of the adjacent country, it was, at the time mentioned, agreed between the parties, which agreement was sanctioned by the Spanish government, (it seems that, at the period of the first settlement made by the Mexicans in that section of the country, a ravine or cañon was the established boundary between them and the pueblo,) that the said cañon, although affording some lands capable of cultivation, should be left as an outlet through the mountains, through which to drive the stock of the Mexicans and Pueblos to pasture.

As time wore on, the Mexicans cultivated different little spots of land and continued yearly to extend their cultivation, to the serious injury and inconvenience of the Pueblos, notwithstanding the expostulations made against these encroachments.

I also examined the matter in controversy between the friendly Navajo and Laguna Indians.

It appears that the Navajos have possessed and cultivated the lands which they now live for at least one hundred years, but never had held a grant from the Mexican government. A Laguna Indian at one time having planted on a portion of these lands, the whole pueblo, emboldened by this example, and knowing that the Navajos held no written title, had called in question the validity of the claim of the Navajos to the lands occupied by them.

Your excellency's most obedient servant,

JOHN R. TULLIES

To his Excellency JAMES S. CALHOUN,

Governor of the Territory of New Mexico,

Ex officio Superintendent of Indian Affairs.

No. 61.

EXECUTIVE DEPARTMENT,
Santa Fe, New Mexico, June 30, 1851.

SIR: For more than a month past insurrection and treason have been rife. You are aware, if I mistake not, that I visited Anton Chico on the 16th of last month, in company with Colonel Munroe and others, for the purpose of having a further talk with the Apaches residing east of the Rio del Norte, and of distributing among them some corn, as they complained of being in a starving condition. Several days before we reached Anton Chico a Comanche delegation arrived, and resolved to await my arrival. On the 14th, two days anterior to our arrival, the Indians departed in great haste. Subsequent inquiries brought to light the fact that they were frightened off by infamous individuals, who stated to them the Americans were gathering for the purpose of murdering all the Indians we could find. Not an Indian was seen, nor could I ascertain who put in circulation the report. Messengers (runners) were sent in the direction of the Bosque Redondo, where I met with the Comanches who came to this superintendency on the 28th of May. During the ensuing day we had a long talk, in the presence of Colonel Munroe and a number of other persons. During the afternoon the chief, Eagle Feathers, visited me in my quarters, sold to me a captive, manifested perfect satisfaction at all that had passed, and repeated that nothing but *death* would prevent his visiting me again, with chiefs and warriors, before two moons should terminate their rounds. Between twelve and one o'clock on the morning of the 30th, these Indians fled from the city, leaving behind them their animals, arms, robes, and provisions. So soon as I ascertained the fact, I sent out agents in search of them; one only was overtaken, and he returned and stated that about twelve o'clock at night the chief was called out, by whom he could not tell, and when he returned he stated they must run without a moment's delay, as we were preparing to have them all killed the next day. I sent out persons to have their property returned, a schedule of which you will find enclosed; this was done at a heavy cost, but I could not do otherwise. The Indians in their flight carried off a number of animals belonging to individuals residing between this and Anton Chico; and a widow, who had lost nine, informed me yesterday all had been returned but one, and some other articles of no great value, for which she claims indemnification. This return of property was caused by the receipt of their own, which I had sent to them; and when I have received two messages from them, desiring me to visit them, or to authorize them to come in. The latter proposition is altogether inadmissible, and will be so regarded until insurrectionary and treasonable intents are subdued. Ignorant as I am of the purposes of the government, and entirely destitute of means, the first proposition cannot be entertained; but the end is not yet.

During the present month almost every conceivable effort has been made to induce the Pueblo Indians to take up arms, saying the party in the ascendancy in the Territory intended to take from them their lands and property, and to drive them out of the country or exterminate them.

The Pueblo Indians have almost besieged the superintendency during the present month. They held a council here, which lasted the greater part of three days. This council was composed of the Pueblos of Sandia, Santa Ana, San Felipe, Cia, Santa Domingo, Cochiti; and subsequently

San Ildefonso, Santa Clara, Tesuque Nambé, San Juan and Taos sent delegations, all highly excited. Not one of the Pueblos at this time desire to abandon their old customs and usages; and you may rely upon it these people must be treated with the utmost delicacy, or bloody scenes will be witnessed in this Territory. A delicate induction will bring these people to any point you may desire; but it must be delicate, and protection must be afforded to them.

You will remember my correspondence of last year advised you of difficulties I had to encounter, and the labor I had to perform, to prevent a meute; I was denounced for everything objectionable by the same party who are now sowing the seeds of discord and treason. But I have infinite pleasure in saying, so far I have retained the confidence of these Indians, and I think the last effort of a desperate faction has strengthened me in their estimation, and increased their confidence in the American government, and your instructions in reply will decide them as to their future course. I pray you be careful, and weigh well the matter before you instruct. In the mean time, after the arrival of the Indian agents who are directed to report to me, I shall assign one of them to the Pueblo Indians, and require him to visit them without delay, and to remedy, as far as possible, the many grievances of which they have complained to me.

As governor of the Territory I have to-day given to the Honorable Secretary of State a brief statement of some of the obstacles I have had to encounter of late. Treason is absolved, and *power* is wanted in this Territory to catch the infamous who are administering to the disorders of the Territory.

The Navajos four or five days ago pounced upon Isletta, a Pueblo village, and carried off a large number of animals. Are these things never to be remedied? Give me the authority and *means*, and I will remedy it.

I have not time to say more, and have the honor to be, your obedient servant,

J. S. CALHOUN.

HON. LUKE LEA,

Commissioner of Indian Affairs, Washington city, D. C.

No. 62.

EXECUTIVE DEPARTMENT,
Santa Fé, New Mexico, July 1, 1851

SIR: I have this moment received information that the Comanches visited Anton Chico and La Cuesta on the 27th and 28th of last month, declaring their purposes to be good, and their admiration of Americans. It is supposed there were three hundred warriors, and they stated they were en route for the Navajo country, for the purpose of a war with that tribe. On leaving the places named above, they wantonly committed various depredations, by killing stock for which they had no use, and driving off others. No personal injury to a citizen was inflicted, but some were rudely treated. Col. Alexander from Vegas sent troops to the points named, and Col. Munroe is now issuing orders designed to repel and chastise the Indians if discovered. The people below San Miguel are in great consternation.

tion, and they call upon me for *assistance and protection*, and *I am without authority or means*.

I send this by express to overtake the mail that left for the States this morning.

Very respectfully,

J. S. CALHOUN.

H. L. LEA,

Commissioner of Indian Affairs.

No. 63.

EXECUTIVE DEPARTMENT,
Santa Fé, New Mexico, July 25, 1851.

Some Agitators are yet attempting to excite the Pueblo Indians by misrepresentations and outrages upon their rights. The arrival of our judges, and two of our Indian agents, Weightman and Greiner, will afford to the public considerable protection against the disorders designed by evil disposed persons. At one time the peril was great, and to prevent an outbreak heavy and perhaps unauthorized expenditures were incurred, and the department must pass upon them according to its authority and sense of justice.

Apaches.

Col. H. St. Vrain came from Taos on yesterday, and says the Jicarillas are entirely quiet, and he knows of no depredations they have committed since they entered into the Apache treaty.

The Comanches,

Concerning whom I wrote you on the first day of this month, crossed the country from La Cuesta towards the Navajo region, by way of the Pueblo of Santa Domingo. They ultimately bore south, and passed near Cibola, and promised a visit to the commandant of that post which they omitted to pay, but continued their course south and southeast, and finally recrossed the Del Norte in the neighborhood of Albuquerque, and returned to their accustomed locality near the Bosque Redondo, without committing outrages of any kind, except the killing of such animals as they desired for food. A Pueblo Indian, in whom I repose the greatest confidence, and who has done me good service for months past, Carlos Vigil, returned from Comanche country two days ago, reports all quiet, and gives it as his opinion they are decidedly peacefully purposed.

The Navajos

Have committed several murders, and depredations during the month. They surprised a number of Mexicans, about the first of this month, who were in search of animals run off by them, killed eight men and wounded seven others.

About the 15th of this month, near the pueblo or Laguna, the Navajos killed three men, and caused every thing to be burnt up that was found in

camp. The murdered men were Americans, engaged in complying with a government contract for hay.

The Utahs

I have reason to believe are submissive, patiently waiting to see what our government will do with them and for them.

I am, with great respect, your obedient servant,

J. S. CALHOUN.

HON. L. LEA, *Commissioner Indian Affairs,*

Washington, D. C.

No. 64.

EXECUTIVE DEPARTMENT,

Santa Fé, New Mexico, August 31, 1851.

SIR: You are already advised by my letter of the 22d inst., which will be confirmed by the accompanying copy of a correspondence between your Indian superintendent and the military commander of this department, that no military "facilities" will be afforded to the Indian department. This is to be regretted, and will limit the usefulness of agents, and devolve upon the officers of the army duties that should be discharged by them. (the agents.)

Col. Sumner is now en route for the Navajo country, and bands of the Navajos are in his rear, and approached our settlements on the night of the 26th inst., killed a little girl, and drove off a flock of goats. This occurred about thirty miles from this city, on the west bank of the Rio del Norte. It is reported, and I believe its truth is not doubted, that Indians have got possession of a large number of public animals, recently in the possession of the boundary commission. The success of the Indians will, doubtless, encourage them to more daring acts of aggression. Without a dollar in our territorial treasury, without munitions of war, without authority to call out our militia, and without the co-operation of the military authorities in this Territory, and with numberless complaints and calls for protection, do you not perceive I must be sadly embarrassed and disquieted? The difficulties that have occurred in the boundary commission are weakening the confidence of the Mexican residents in our government.

A large number of captives, recently taken from the republic of Mexico are among the Gila Apaches, and your department ought to have an agent with the boundary commission. It was my intention to have visited that region during the ensuing month, but that purpose is defeated by not being authorized to secure our escort. These Indians should be made to know their duty; and a treaty ought to be made with them, requiring them not to go beyond prescribed limits except under certain restrictions.

The seven Mexican Pueblos.

Thirteen Indians from these pueblos visited me on the 28th inst. The object was to ascertain whether their great father, and they supposed me to be him, would do anything for them. They complained that the Navajo

had continued to rob them, until they had left them exceedingly poor; and wretched, indeed, did they look. They had heard of a *priest*, but never had seen one, and requested me to see one for them, and to deliver to him some *feathers*, and a powder they called (as it was interpreted by a Santa Domingo Indian) their "big medicine," and to beg the priest to pray to the Great Spirit to send them rain, and to make their corn grow, that they might not perish. These Indians seem to be innocent, and very poor, and should be taken care of.

The Navajos having exhausted, or nearly so, the supplies of the Moquies, are now at peace with them, and will remain so until the Moquies increase their stores to an extent that shall awaken their cupidity. More than twelve months ago I made an effort to visit the Moquies, but then, as now, an escort was not allowed me. You will remember their pueblos are situated west of Santa Fé, and at a distance from it computed at three hundred and fifty miles, and beyond the Navajo country. Not very remote from the Moquies the Gila Apaches should be made to settle; but this is a question that cannot be determined before that country is thoroughly explored.

I know of no outrages committed by Apaches roaming east of the Rio del Norte, nor by Utahs, subsequent to the treaties made with them. The mail contractors say they were greatly annoyed by Indians between this and the Cimaron, and think there were Utahs among their assailants. They suffered no particular injury. I beg to call your special attention to the accompanying correspondence; and after reading No. 2, do me the favor to read No. 5. Do instruct me in the way I should go.

With great respect, your obedient servant,

J. S. CALHOUN,
Superintendent Indian Affairs.

Hon. L. LEA,
Commissioner of Indian Affairs.

EXECUTIVE DEPARTMENT,
Santa Fé, New Mexico, July 30, 1851.

SIR: In order to be prepared for emergencies, I beg to inquire whether you are clothed with authority to afford the superintendent and Indian agents with escorts and other facilities that may be necessary to enable them to discharge the duties confided to them by the government of the United States.

I am, with great respect, your obedient servant,

J. S. CALHOUN.

1st Col. BROOKS, U. S. A.,
Commanding Santa Fé, New Mexico.

HEAD QUARTERS, NINTH DEPARTMENT,
Fort Union, New Mexico, August 3, 1851.

SIR: Your note of the 30th ultimo to Brevet Lieutenant Colonel Brooks, commanding the troops stationed at Santa Fé, inquiring whether he is clothed with authority to afford the superintendent and Indian agents the escorts and other facilities that may be necessary to enable them to

discharge the duties confided to them by the government of the United States," has been referred to this office, and I am directed by the commanding officer of the department to reply to you, that the troops in this department will be prepared at all times for any service which the government contemplated, or its interest demands.

No general authority or orders can, however, I am instructed to say, be given to officers to detach portions of their commands upon the discretionary requisition of the agents of the Indian department: first, because such demands might interfere with the specific service to which the troops had been assigned; and second, because the government does not contemplate any display of military force in the Indian country that is not made under the control of military authority.

As bearing upon this question, I am directed by the commander of the department to refer you, incidentally, to the extract from the instructions of the War Department to him, furnished to you on the 22d ultimo, which direct him to allow the superintendent of Indian affairs (or Indian agents) to accompany him in the expedition which it may be necessary to make into the Indian territory.

Very respectfully, your obedient servant,

D. C. BUELL,

Assistant Adjutant General.

To his Excellency J. S. CALHOUN,
Governor of New Mexico, and

Superintendent of Indian Affairs, Santa Fé, N. M.

[Extract.]

WAR DEPARTMENT,
Washington, April 1, 1851.

SIR

In all negotiations and pacific arrangements with the Indians you will act in concert with the superintendent of Indian affairs in New Mexico, whom you will allow to accompany you in the expeditions into the Indian territory, if he should deem it proper to do so, and to whom you will afford every facility for the discharge of his duties.

Instructions will be given by the Department of the Interior to the superintendent and agents, in all their transactions with the Indians, to act in consultation and concert with the military authorities.

Very respectfully, your obedient servant,

C. M. CONRAD,

Secretary of War.

Col. E. V. SUMNER,

First Dragoons, St. Louis, Mo.

EXECUTIVE DEPARTMENT,

SANTA FE, N. M., *August 4, 1851.*

SIR: I trust the responsible position which I occupy, as the representative of the government of the United States in its civil department, and

my obligations, not only to said government, but also to the people of this Territory, to guard, as far as I may rightfully have the power, their persons, property and firesides, will justify me in your estimation in addressing to you this communication.

It is presumed *our ignorance* in relation to the disposition of troops and the location of posts for the protection of the people of New Mexico, during your contemplated Navajo campaign, has excited the apprehensions of the people. Many inquiries have been addressed to me upon this subject, which I have not been able to answer. The Navajos are acquainted with every hook and corner in this Territory, and it would be exceedingly indiscreet for any one to act upon the presumption that, pending your march into the heart of the country which they claim, they and other Indians will not seek to penetrate into our midst, and murder our people, and carry off captives and property. This result is inevitable, unless precautionary measures are adopted to prevent it. I am satisfied you comprehend the danger, and *have adopted such measures* as will afford adequate protection; but I have to regret that I cannot, by *authority*, satisfy the uneasy manifestations of the public mind.

There are two other facts which increase the public disquietude:

1st. It is known that many of the Pueblo Indians have been tampered with by reckless individuals in this Territory; and, unless means are adopted to prevent an outbreak, internal war must ensue.

2d. In the city of Santa Fé a vast number of *quartermasters* and other men have been discharged, and are now out of employment; and at this season of the year it is impossible for them to find employment.

To one of your experience it would be a waste of time to suggest the dangers to be apprehended from the two facts set forth above.

3d. I must also state, to enable the superintendent and Indian agents to contribute all in their power to guard against Indian outbreaks, they must necessarily travel in every direction: and this I cannot direct them to do without adequate escorts. Upon this subject I addressed a note to Colonel Brooks, the commandant at this post, which, he informs me, he has referred to you for instructions.

I now beg to inquire, if I shall deem it necessary to send one or more of the Indian agents, or go in person with you to the Navajo country, the extent of the *facilities*, in transportation and subsistence, that will be afforded to us; and, further, will you allow agents at outposts to purchase subsistence of commissaries?

I have, in conclusion, to say, with perfect respect, that one company of artillery will be, in my opinion, utterly insufficient, if all are mounted, to preserve the internal quiet of this Territory, and afford timely succor to the people of our borders, and such escorts as are absolutely necessary to render this superintendency efficient; and this can be effectively accomplished only by having a sufficient number of troops at a *central* position.

The foregoing statement is placed before you for your consideration, and such action as you may deem wise.

I am, with great respect, your obedient servant,

J. S. CALHOUN.

Col. E. V. SUMNER,

Comm'g ninth military department, Fort Union, N. M.

Part iii—15*

HEAD QUARTERS, NINTH DEPARTMENT,
Fort Union, August 8, 1851.

GOVERNOR: I have the honor to acknowledge the receipt of your letter of the 4th instant. The proper measures will, of course, be taken to prevent the incursions of Indians into this Territory during my absence in the Navajo country. You are aware, sir, that it is not usual to publish the plan for military operations.

With regard to the reckless individuals mentioned by your excellency, it is a source of deep regret to me that the laws of this Territory are not strong enough to repress such people and keep them in order. This state of things is not understood at Washington, or special instructions would undoubtedly have been given to me to support the civil government in the execution of the laws.

With regard to the transportation and subsistence of Indian agents, I would remark that no allowances whatever can be made to any person from army supplies not provided for by express law.

It is presumed that every department makes what is deemed suitable provisions for its own agents.

With high respect, your obedient servant,

E. V. SUMNER,

Brevet Colonel U. S. A.

His Excellency J. S. CALHOUN, Governor.

No. 65.

EXECUTIVE DEPARTMENT,
SANTA FE, NEW MEXICO, October 1, 1851.

SIR: There have been murders, and the number of depredations committed during the past month have not been exceeded in any previous month since I have been a resident of this Territory. Three murders have come to my knowledge, but the depredations have not been heavy, owing, in part, to the want of the desired materials heretofore consumed (carried off) by our lords of the mountains and valleys.

We cannot do with less than two (new) mounted regiments, and the Governor must have authority to call out the militia, and the control of war munitions, and the means to subsist and pay the militia. I have now access to the appropriations for the Navajos and Utahs. But what can I do with them? I cannot get to the Indian country in safety, for the want of military co-operation. There is another question you must consider. By authority of the department, during the past year, I made treaties with certain Pueblos. During the present year, without special authority, I made a treaty with the Apaches east of the Rio del Norte. To use the appropriations mentioned must be well considered, or the Pueblos and Apaches may manifest their discontent. The Pueblos are daily tampered with, and my utmost exertions are required to prevent outbreaks. The want of harmony between the military and civil authorities is well understood by them, and their management will become more difficult, if it is not already so. Their discontent must not be increased. These Christian Indians are a dangerous people, but none can be made more useful if proper care is taken with them. There should be no delay in this matter.

In conclusion, I must say, the military officers and the executive cannot harmonize, and I am not certain that the public interest would not be promoted by relieving us all from duty in this Territory.

With great respect, &c., &c.,

J. S. CALHOUN.

Hon. L. LEA,

Commissioner of Indian Affairs.

No. 66.

OFFICE OF THE COMMISSIONER,
Champoeg, April 19, 1851.

SIR: The undersigned, commissioners appointed by the President of the United States to treat with the Indians in Oregon west of the Cascade mountains, for the purchase of their lands, have the honor herewith to transmit to you a treaty concluded, on the 16th instant, with the Santiam band of the Callapooya tribe of Indians, by which they cede to the United States a portion of the Willamette valley, about eighty miles in length and about twenty in width. And also a treaty, concluded this day, with the Twalaty band of the same tribe, including a country about fifty miles in length and about thirty in width. The lands ceded by these treaties are among the most valuable in the Willamette valley.

Before entering into these treaties we exhausted every argument, and availed ourselves of every means of persuasion which we were authorized to make use of, to induce the Indians to remove east of the Cascade mountains; but the Indians, without any exception, manifested a fixed and settled determination not, under any circumstances, or for any consideration, to remove. They urged, as reasons for not wishing to do so, that their fathers had lived and were buried in this country; that it was their native land, and that they wished to be buried by the graves of their ancestors; that they were unacquainted with the country east of the Cascade mountains, and were ignorant of the means of procuring a livelihood in any other than the one in which they now live; and that it would be more humane and merciful for the whites to exterminate them at once, than to drive them from this to the country east of the Cascade mountains. They also stated that when the whites first came to settle here they expressed their willingness to have them occupy any portion of the country they might desire, except within the limits of these reservations; but that they had repeatedly declared their determination never to part altogether with the land containing the bones of their fathers, and that this intention was well known to the whites who are now residing on their reserves, previous to their making locations; that they have always lived peaceably and on friendly terms with these white men, and that they presume they can continue to do so.

These reservations are situated at the base of the mountains, one on the east and the other on the west side of the Willamette valley, and contain a little land that would furnish desirable locations for white men, and are well suited to the purposes to which the Indians wish to apply them. Each of these bands subsist principally upon roots and provisions which they procure from the white people in their neighborhood. Many of the Indians are useful agricultural laborers; yet it is very doubtful, in our opinion.

whether any of them are possessed of sufficient industry, application, and forethought ever to succeed as farmers or mechanics on their own account. Their numbers are, of the Santiam band, one hundred and fifty-five, and of the Twalatys, sixty-five.

We have seen and conversed with a number of persons who are now residing within the limits of these reservations, and they expressed entire willingness to have the Indians remain where they now are, and their belief that the other settlers in the neighborhood entertain similar feelings.

We explained to both of these bands the advantages which would result to them from having a large portion of the purchase money of these lands appropriated for the establishment of schools among them, and in the procuring of agricultural implements; but they wholly refused to have any portion of it expended in educational purposes, and only the Twalaty band consented to allow a small portion of their money to be expended in farming utensils.

A large portion of both of these bands are at all times living in white families in the capacity of servants, and are very useful to the white population of the country; and while the present high rates of wages exist, it would be extremely difficult to dispense with their services. It is the opinion of the commission, that the most feasible plan for the civilization and enlightenment of the Indians of this country, is to permit them to remain in the neighborhood of the white settlements, and to be employed in the various industrial pursuits of the white man. The Indians, unlike those on the east side of the Rocky mountains, are not only willing, but anxious, to adopt the habits of civilized life: and it is for this reason that we have stipulated to pay them so large a portion of their annuities in clothing. Most of them have, for a number of years past, been in the habit of receiving money for their services, and have a tolerably correct idea of its value. They were anxious to receive the whole amount of their annuities in cash, and it was with much difficulty that we could persuade them to receive anything else in lieu of it.

The reasons that induced us to specify the articles in which their annuities are to be paid, was the high price of all these articles in this country, which makes the sum appear to them much larger than it would, if only stated in dollars.

We have the honor to be, sir, your obedient servants,

JOHN P. GAINES,

A. A. SKINNER,

BEVERLY S. ALLEN,

Commissioners.

Hon. L. L. A.

Commissioner of Indian Affairs, &c., &c.

No. 67.

OREGON CITY, O. T., May 11, 1851.

SIR: Since the date of our last report we have been able to conclude four treaties, two of them with the Yamhill and Luckamiute bands of the Callapooya tribe, and the others with the two bands of the Molallas, the description of whose territories and reservations will appear by the copy

accompanying this letter. The whole country now purchased comprises that part of the Willamette valley extending from little below Oregon city southward to Mary's river, being the most valuable and thickly settled part of the district; two small bands living opposite and below Oregon city, moreover, alone remaining between that point and the Columbia river.

In the case of these last negotiations, the same difficulties presented themselves as in those already reported. The act known as the Oregon land bill, making donations to settlers, positively and without reference to the previous extinction of the Indian title, precluded us from getting reservations, except of ground entirely clear, or with a saving of claims heretofore made; on the other hand, the United States have never asserted the principle of forcibly compelling the emigration of Indian tribes from their homes. But the natives of western Oregon, so far as we have seen, without exception, are possessed of local attachments of the strongest kind, strikingly distinguishing them from the nomadic races of the plains. The habitations of these people are, so far as regards place, not only permanent but hereditary. Divided into bands or families, now reduced in number, but retaining each their separate chiefs, occupying their own lodges in the different districts of country, having no generic name, and no ties but a common language, it has been found generally impossible to amalgamate portions of even the same people. Not only did they all and invariably refuse to listen to persuasion and argument inducing a removal from this portion of the Territory, but their reluctance was almost equally great to abandon their favorite situations. We have found among all of them the fixed impression that the doom of their race was sealed, and the same stubborn determination to die where they were born. Since the period, now about thirty years past, when the scourge of a before unknown disease smote down at once the power and spirit of these tribes, their decreasing remnants seem to have singled out a few spots in their ancient domain, where they might abide their fate, at the same time that they had contemplated an ultimate sale of the bulk of their territory. To all previous inducements of the whites to remove from these they have opposed a resistance qualified only by their want of strength. We have, therefore, found ourselves compelled, against the wish of the government, as expressed in our instructions, to accede to reservations in the lands purchased. That these reservations will cause any considerable annoyance to the whites we do not believe; they consist for the most part of ground unfitted for cultivation, but suited to the peculiar habits of the Indians. The Callapooyas, living mostly on roots and having no partiality for the chase or fishery, dwell chiefly in low and marshy spots, where the kamasy and wappatoo abound: while the Molallas, a hardier and more vigorous race, subsisting almost entirely on game, inhabit the woody slopes of the Cascade mountains. Portions of their reserves, it is true, include tracts claimed by settlers, but the latter have, with one exception, been saved, and the explanation has been carefully made to the Indians that these latter included not merely the land already fenced, but the amount granted by the government to each white man.

In acceding to the several reservations, we have been careful to consult with respectable and intelligent persons of the neighborhood, and to adjust the boundaries so far as possible to their satisfaction, as well as to that of the natives.

In most cases we found no desire felt to remove the latter altogether, as they render themselves useful in many ways as laborers and servants.

The exception mentioned as the one in which the claims of settlers were not protected, was that of the Yamhill band of Callapooyas. These people occupied a tract on the south fork of the river of that name, a tributary of the Willamette, where a numerous white population had gathered; and, under the conviction that no sufficient quantity of land remained to subsist them, we strongly urged their removal to another spot; a small isolated valley among the coast mountains, offering pasturage for their horses and roots for themselves was selected, in which, however, two persons had already fixed themselves, and it was agreed that these two should be removed by the government.

As a necessary inducement to the Indians, and as a protection against a colder temperature in winter, we further stipulated for the construction of log houses sufficient to shelter them. As regards the whites already living there, it is suggested that their improvements be valued under the direction of the superintendent, and they remunerated for their loss. This cannot be great, as they have but recently occupied the ground, and constructed only common log buildings. No other place less free from objection could be found in the tract purchased, for the American population was exceedingly scattered; in fact, whenever we inquired of the Indians for places unoccupied by whites the answer was invariably, "Where are there none of you?"

In regard to these reservations, and the motives attending them respectively, we refer you to the journals of the commissioners, which will be forwarded as soon as copied. It will be sufficient to state here that we do not believe material objections to the stay of the Indians near them exist generally among the whites; and so far as they themselves are concerned, we are satisfied that their welfare and even existence depend upon the latter. They have so long since become accustomed to our mode of dress, and look so entirely to our people for protection, assistance and money, that to be taken from our neighborhood would be certain ruin. This state of dependence is fully recognized by themselves, and formed a constant argument in their mouths against removal. In their present condition they are peaceful and harmless, and the origin of no other mischief than an occasional petty theft, although subject to certain temptations from intercourse with the whites. We do not think that the most destructive of these, the use of intoxicating liquors, would be diminished by any change of place in other respects suitable; while the only hope of further civilizing them seems to be keeping them with us, and using them to our habits and employments. To a certain extent we believe that this can be accomplished. Many of them display a very considerable degree of intelligence, and all are capable of rendering themselves independent by work. So far as those we have seen are concerned we do not indeed believe that, whether left to themselves or under the instruction of persons employed for the purpose, they could be brought to any steady and constant labor; but when hired and overseen by whites they are exceedingly serviceable. It will be perceived that in those instances where we have stipulated to furnish a portion of their payment in implements of husbandry, they have reserved to themselves the right, after a certain period, of requiring other things in their place. These were the only terms upon which they consented to take them, no disposition being shown to enter upon the cultivation of the

laid on their own account. In fact but few of them ever care to possess cattle, horses being the only stock they value. As to education or religious instruction, they all steadfastly declined expending any part of their annuities upon such objects.

One feature in these treaties we deem it necessary to dwell on in particular: we refer to the specifications of the kinds and quantities of goods to be purchased out of the annuities. This, we are aware, may cause some additional trouble to the department, as the value of the articles agreed to be delivered may not correspond with the sum named as to be applied to their purchase. So far as we were able, we have endeavored to adjust them; though, as we could only estimate the prices of the goods in the United States, we may, in some respects, have been mistaken. But we desire to say that, if these treaties are ratified, it must be upon the footing of making the whole payments in kind, even though the cost exceeds the amount stipulated in dollars. It is in this way that the Indians fully understand them, and with no other arrangement would they be satisfied.

Owing to the excessively high prices of goods in Oregon, the amounts so thus stated appeared to them much larger than their corresponding value in money at home, and the enumeration of the articles conveys a far more distinct idea than the mention of a sum in gross. The kind of goods agreed upon was in accordance with their own wishes. These people have abandoned altogether their original costume and adopted that of the whites, with the exception of the blanket; and it was their desire, if paid in merchandise, to receive the greater part in articles of clothing. In this we were the more inclined to indulge them, from the belief that, by assimilating in this respect to the whites, their physical condition would be improved, and an advance made towards a further civilization.

About the time of concluding the last of these treaties, we received, though unofficially, intelligence of the recent action of Congress respecting Indian negotiations. It is the opinion of many, particularly of the superintendent of Indian affairs, that we not only had no right to go further, but that the treaties already made are actually void. We trust that it will not be considered improper in us to urge upon the government the necessity of accepting them, even if this view of the case be correct. We feel perfectly assured that, should this not be done, all further negotiations with any of the tribes of Indians in Oregon will be attended with serious delay.

The distrust and suspicion engendered through years of suspense and disappointment, and which we have already found difficulty in allaying, would be revived with a feeling of certainty that nothing could efface from the bosom of the Indian. We think it even a source of regret, that some agent cannot immediately proceed to treat with the remaining tribes, while the impression created is fresh in their minds. So far as the treaties already made are concerned, we will not, it is hoped, be suspected of interested motives in expressing our conviction that they are good ones; that the Indians have, on the one hand, been treated with equity and a due regard to their welfare; and that a valuable territory has, on the other, been acquired at a moderate price.

Our operations were, of course, brought to a close by the intelligence that the board was superseded; we have, therefore, paid out of the fund in our hands the salaries and mileage of the commissioners and persons

employed, and stopped all further proceedings. The account will be forwarded to you as soon as completed.

We remain, sir, your obedient servants,

JOHN P. GAINES,
ALONZO A. SKINNER,
BEVERLY S. ALLEN.

Hon. LUKE LEA,
Commissioner Indian Affairs.

No. 68.

SIR: In submitting my annual report of the condition of Indian affairs within my superintendency, I must beg leave to state that, in consequence of there being such a large number of Indian tribes scattered over so great an extent of territory, I shall hope to be excused for any apparent want of information upon the several subjects under consideration.

It may, perhaps, be unnecessary to add that, owing to unavoidable causes, I have been left almost alone to perform the duties and labors intended to have been divided among efficient agents and sub-agents. At the same time, it should be remembered that very great additional labors have been added to the duties of my office by the provisions of the act of Congress of 27th February last, which transfers to this department the authority to make treaties with the Indian tribes west of the Cascade mountains. It should also be borne in mind that, in consequence of the almost incessant rains that fall during six months of the year in Oregon, all the out-door business of the country must be accomplished in the remaining six months.

With an earnest desire to meet the highest expectations of the government in the performance of the duties assigned me, I have left nothing unattended to that the very limited means in my possession would warrant me in undertaking. A brief account of the labors performed by agents and sub-agents acting under my superintendence is all that can be communicated at this time, no regular report having been received from them.

H. H. Spalding, esq., Indian agent, whose post was located on the Umpqua river, has visited that part of the country twice since his appointment—once last fall and again in June last. How much of the intervening time he may have been confined to his home on the Callapooya, by sickness, I am unable to determine.

Believing the state of affairs in the Rogue river country was such as to require the services of an active and competent agent, one who would be willing to render the government some equivalent for the salary received, I felt it my duty to write you, as I did on the 20th of May last, asking the appointment of E. A. Starling, esq., to supersede Mr. Spalding.

Elias Wampole, esq., Indian agent, arrived here in July last, and has entered upon the duties of his office at his post, on the Uilla river, in upper Oregon.

J. L. Parrish, esq., of Portland, was the only acting sub-agent that I found in Oregon upon my arrival in the Territory. Mr. Parrish has been a useful and efficient agent, always ready and willing to discharge the duties assigned him.

In October last, I took the liberty to recommend the appointment of Robert Shortless, esq., of Astoria, as sub-agent, in place of Mr. Van Deusen, who declined accepting the office. Mr. Shortless immediately entered upon the duties of his office, and has been vigilant and useful. I do not learn that a commission has yet reached him.

On the ninth of August last, I received a commission for E. Walker, esq., as sub-agent, to reside in the Spokane country. I am not yet informed that Mr. Walker will undertake this long journey.

Soon after forwarding my brief report of October, I was called to the mouth of the Columbia, on account of the difficulties that seemed to oppose our efforts to check the extensive traffic in spirituous liquors in that part of the country. After a thorough examination of the matter, I found a state of things existing that induced me to ask for further instructions in regard to the introduction and sale of spirituous liquors in Oregon. Up to this time, no definite answer has been received on this subject.

It gives me great pleasure to remark here that, notwithstanding there is a great deal of liquor sold in some localities, I believe the Indians of Oregon, taken as a whole body, consume less liquor in proportion to their number than any others in the United States. No country, with which I am acquainted, exhibits so few drunken Indians. I have seen many thousands of these Indians, and never saw but one that appeared intoxicated. I am also well persuaded that, with few exceptions, the Indians of Oregon are the most peaceable, friendly, and easiest managed, with proper care, of any civilized tribes within the bounds of the United States.

The exceptions alluded to are the Snake and the Shasta or Rogue river tribes, whose stealing propensities have led them into many difficulties with the whites; and no sudden change in their bad habits, or security from their depredations can reasonably be expected until detachments of troops shall be sent into the two sections of the country inhabited by these tribes. The discovery of gold in the Rogue river country has attracted, with many well disposed persons, some of the most unprincipled and ungovernable white men of all countries; to keep in check these men troops are indispensable. I regret that my recommendations of November last, on this subject, have not been ere this carried out.

While writing this report General Hitchcock, commander-in-chief of the military forces on the Pacific, has called upon me, and states that he has ordered a detachment of twenty men from Astoria and Fort Vancouver, to proceed immediately to the Rogue river country.

There should also be a small force stationed in the Snakes' country, before the emigration of next summer comes over the plains. It will be prudent, also, to have a small detachment at Stillicum, on Puget's sound. Elsewhere in Oregon I know of no necessity for United States troops.

In my instructions from the department, the following language is used: "Under no circumstances should the company (Hudson's Bay,) be permitted to have trading establishments within the limits of our territory; and if any such establishments now exist, they should be promptly proceeded with, in accordance with the requirements of the intercourse law." Believing that the rights of this company were such as to justify me in calling the attention of the government to the subject, before I attempted to carry out the instructions, I have deferred action in the matter until further directions shall be received.

I would suggest to the consideration of government the propriety of buying out these possessory rights of the company. The advantages possessed by them are such as to seriously affect the interests of our own traders in *what should be our own country*. Such a negotiation, I would further suggest, should be, on the score of economy, made in Oregon, between the company's chief factor or governor, and such other individual (well acquainted with the property and trade of the company) as might be selected by the President of the United States.

While on this subject, it may not be improper to state some facts in relation to the trade of this company. They have at this time, within the territory of Oregon, twelve large trading posts, situated at the following places, viz: Fort Vancouver, Fort Walla Walla, Fort Boisse, Fort Hall, Fort Okonayan, Fort Colville, Fort Nesqually, Fort Umpqua, Cape Dissapointment, Cowlitz, among the Flat Heads, and among the Kootenais. At these places the most perfect order is observed, and all their business operations are thoroughly systemized. Their regulations are such that they can procure their factors, clerks, boatmen, servants, &c., at one-fourth of the prices our own merchants are obliged to pay for the same kinds of labor. Their goods are mostly brought out in their own ships, and whenever they are brought in other ships, (which is not infrequent,) they pay less than one-half the price for freight on goods from London to Oregon, that is paid by our merchants on goods from New York to Oregon; beside, they save the profits and charges that are paid on goods to New York.

I am unable to state with much accuracy the value of goods imported annually to Oregon by this company, but I should think the amount rapidly increasing. This year it will be at least one hundred thousand dollars more than it was two years since.

The chief factor of this company, Gov. Ogden is a gentleman of high standing, and much kindness and good feeling is manifested by him on all occasions towards the people of the United States.

From a late decision of Judge Nelson, it appears that, in consequence of a territorial law of Oregon, there is no way by which a white man can be punished for offences committed against Indians, unless there be some other white person to testify as a witness against him. It would seem highly necessary that Congress enact some law by which such a difficulty can be obviated.

The following is the decision of the chief justice, as written out by himself: "William Johnson and Ezra Johnson have, on this 17th day of July, A. D. 1851, been brought before me upon a warrant issued against them for an assault and battery alleged to have been committed by them upon the body of a woman belonging to the Clackamas tribe of Indians; and now, on the hearing of the matter, the prosecution, for the purpose of establishing the charge set out in the warrant, offer as a witness an Indian woman, named Kezika. Her competency is objected to by the defendants. And the question arises, whether an Indian, in a case like this, can be permitted to testify against a white.

"The legislature of the provisional government enacted, in its day, a law in these words: 'A negro, mulatto or Indian shall not be a witness in any court, or in any case, against a white person;' which law was in full force at the time of the passage by Congress of the act organizing the Territory. By section 14th of the organic act, it is provided, that 'the laws now in force in the Territory of Oregon, under the authority of the provisional govern

ment established by the people thereof, shall continue to be valid and operative therein, so far as the same be not incompatible with the constitution of the United States, and the principles and provisions of this act,' &c.

"Again, the territorial legislature, at its last session, re-enacted the law of the provisional government in the very words in which it is quoted above. It would seem from all this to be very plain, that the witness offered is made by law incompetent to testify in this case, and she must accordingly be rejected.

"THOMAS NELSON,
"Chief Justice of the Supreme Court of Oregon."

I would suggest for your consideration the propriety of the passage of a law authorizing the superintendent of Indian affairs in Oregon to appoint interpreters for himself and agents, (not exceeding the number specified by law,) without sending the nominations to Washington to be confirmed. The reasons for such a change were fully explained in my letter of 1st of May last to the commissioner.

The total amount of money received in this department, up to the first day of July last, is twenty-two thousand two hundred and fifty-seven dollars and fifty-three cents; and the total disbursements up to the same time amount to nineteen thousand seven hundred and eighty dollars and nine

Receipts-----	\$22,257 53
Expenditures-----	19,780 09
Balance-----	<u>\$2,477 44</u>

Quarterly returns have been promptly made of all receipts and disbursements up to the close of the last fiscal year, ending 30th June, 1851.

Estimates were forwarded from this office by the last mail for the necessary appropriation to supply deficiencies for expenditures in this year, and to fulfil treaty stipulations.

Estimates are also forwarded for appropriations to meet expenditures for all purposes in the year commencing the first of July, 1852.

Deficiency for 1851-----	\$51,680 00
Estimates for 1852-----	60,930 00

I intend to start for the Rogue river country in a few days, with the view of making a treaty with the Indians of that region for all their lands; upon my return I may be able to make a full report of the state of affairs in that quarter.

There will not be time to visit the Puget sound country before the commencement of the rainy season. An agent will be sent to reside there as soon as there is one appointed.

The following statement of the number of Indians composing the different tribes and bands I think can be relied upon as being as accurate as can possibly be obtained at present. A division of males and females is made in all cases where their numbers have been ascertained.

It may perhaps be unnecessary to call the attention of the commissioner to the great discrepancy between this and former reports in relation to the number of Indians composing the several tribes in Oregon. It may, how-

ever, be interesting to observe how very great the error has been in giving the numbers of the Cayuses and Walla Wallas. I very early discovered these erroneous statements, and have thought best to give an account of but very few that I have not personally visited.

A map showing the localities of the several tribes is in progress, and will be forwarded as soon as it can be completed.

The Clatsops are a band of the Chinooks, occupying the country on the Pacific coast, from the mouth of the Columbia river, about thirty miles south. Their lands are considered very valuable: they include what are called the Clatsop plains. Nearly all their territory is already claimed and occupied by settlers. They number in all eighty, and have ceded their lands to the United States. The Chinooks are divided into five other small bands occupying both sides of the Columbia, from the mouth about sixty miles up. They number one hundred and forty-two, of which thirty-six are slaves. In 1828, they were thought to number nearly twenty thousand. All their lands have been lately ceded to the United States. They all speak a language called the Chinook, which is not spoken by any white person, and also the common jargon of the country. The whole country bordering on the Columbia, as far up as the Dalles, was formerly owned and occupied by this tribe.

For a distance of about eighty miles from the Cowlitz river to the Cascades, there are now no real owners of the land living. It is occupied by the Vancouver Indians, of whom it will have to be purchased. Their band number in all sixty.

Two small remnants of bands, called the Wheelappas and Quillequas, have ceded to the United States a considerable tract of country, north of that bought of the Chinooks, bordering on the Pacific, and extending east nearly to the Cowlitz river. They number thirteen. The Tillamooks, living on the Pacific coast south of the Clatsop, and occupying the country between the coast range of mountains and the ocean, have ceded their lands to the United States. Their territory extends from forty-five to fifty miles south of that of the Clatsops. Their total number is one hundred and fifty.

The Clackamas band, living upon the Clackamas river, near Oregon city, were formerly a part of the Chinook tribe, and still speak their language. They claim the country on the east side of the Willamette river, from a few miles above its mouth nearly to Oregon city, and extending east to the Cascade mountains. They refuse to sell their land without immediate payment. Their whole number is eighty-eight. They own a valuable tract of country. The Tum-water band, also a remnant of Chinooks, residing at the falls of the Willamette, opposite Oregon city, claim a strip of land some twenty miles in length, on the west side of the Willamette, extending from Souvies island, at the mouth of the river, up to Twality river, and west to Twality plains. They also refuse to sell their land without pay down: giving, as a reason, the probability of their living but a very few years. Their number is thirteen.

The next lands south, extending sixty or eighty miles up the valley of the Willamette, and from the coast range on the west to the Cascade range of mountains on the east, have lately been ceded to the United States by the several bands of Molallas and Calapuyas. The Molallas, formerly a branch of the Waulapta or Cayuse nation, number one hundred and

twenty-three. The Callapooyas are divided into several large bands, and number in all five hundred and sixty.

The land ceded by these two tribes, Molallas and Callapooyas, is considered the best in Oregon. Their territory comprises the largest and most densely settled portion of the Willamette valley, and is nearly all in open prairie country.

The Umpquas, inhabiting the valley of the Umpqua river, have not ceded their lands. They will be treated with this fall, if possible to do so before the rainy season sets in. Their country is becoming rapidly settled, and is a very desirable portion of Oregon. They number two hundred and forty-three.

The Shasta or Rogue river Indians claim the southwestern part of Oregon south of the Umpquase. They will probably be treated with this fall. Their number is not ascertained.

The Cascade Indians, a branch of Chinooks, live at the cascades of the Columbia. They number one hundred and twenty.

The Clickatats claim a district of country north of the Columbia, but they are a roving tribe, and are scattered about in different parts of the Territory. Their number is four hundred and ninety-two.

The Cowlitz, Cheehales, and Nesqually tribes have not been visited, nor has any reliable information as to their number been received, nor of those farther north on Puget's sound.

The tribes and bands mentioned above are those living west of the Cascade mountains.

RECAPITULATION.

Cascades, 37 males, 34 females-----	71
Chinooks, 70 males, 72 females-----	142
Wanwouvers, 23 men, 37 women and children-----	60
Wheelappas or Quillequaquas-----	13
Tillamooks-----	150
Clackamas, 19 men, 29 women, 40 children-----	88
Tim-Waters, 5 men, 6 women, 2 children-----	13
Molallas, 40 men, 60 women, 23 children-----	123
Callapooyas-----	560
Umpquas, 67 men, 104 women, 32 boys, 40 girls-----	243
Shasta or Rogue river-----	000
Cascades, 45 men, 75 women and children-----	120
Clickatats, 252 men, 130 women, 45 boys, 65 girls-----	492
Cowlitz, Nesqually, Cheehales.	

The following are tribes and bands east of the Cascade mountains, many of which I have visited during the summer:

Wascopans occupy the country on both sides of the Columbia at the Dalles, and on the Deschutes or Fall river. They are divided into three bands, and all speak the Walla Walla and Chinook languages. They number in all seven hundred and eighty-two.

The Walla Wallas live principally upon the Walla Walla river. Their number is one hundred and thirty.

The Waulatpas or Cayuses, occupying the country south and east of the Walla Wallas, number one hundred and twenty-six. They are the wealth-

iest in proportion to their number, of any of the tribes in Oregon, owning large droves of horses and cattle.

The country owned by the Cayuses and Walla Wallas contain more good tillable land than there is in the four New England States—Connecticut, Vermont, New Hampshire, and Rhode Island; and, as these tribes have become so nearly extinct, I would suggest the propriety of early provisions being made by Congress for purchasing their lands.

The Sahaptin or Nez Perce tribe own a large tract of country north and east of the Cayuses and Walla Wallas, and are the most numerous and powerful tribe in Oregon, possessing immense wealth in cattle and horses. They are divided into fifteen bands, which number, in all, one thousand eight hundred and eighty souls.

The Paloozes occupy a district of country north of the Nez Percés, and speak the Walla Walla language. Their total number is one hundred and eighty-one.

The Spokans or Flat Heads own a large district of country north of the Walla Wallas and Nez Percés. These Indians received the name of Flat Heads from the fact that their heads were not sharpened by pressure on the forehead, as the Chinooks. They are divided into eight bands, the total number of which, as near as can be ascertained, is two thousand five hundred and twelve.

The Yackimas, including the band at Priest's rapids, speak the Walla Walla language, and own the tract of country drained by the Yackima river. Number estimated one thousand.

The numbers of six bands of the Spokans were furnished me by a Catholic missionary residing in their country.

Recapitulation of tribes east of the Cascade mountains.

Wascopans, two bands at the Dalles, 129 men, 206 women, 147 children-----	482
Deschutes band, 95 men, 115 women, 90 children-----	300
Walla Wallas, 52 men, 40 women, 38 children-----	130
Waukatpas or Cayuses, 38 men, 48 women, 40 children-----	126
Sahaptins or Nez Percés, 698 men, 1,182 women and children----	1,880
Paloozes, 60 men, 62 women, 59 children-----	181
Spokans or Flat Heads—	
Sinhumanish band, 71 men, 85 women, 38 boys, and 38 girls-----	232
Mission band, 70 men, 60 women, 40 boys, and 40 girls-----	210
Upper Pond Orrilles, 480; Lower do., 520; Couer d'Alienes, 200----	1,200
Rock Island, 300; Collville, 320; Okonagon, 250-----	870
Yackimas (estimated)-----	1,000
Snakes.	

The Shoshones or Snakes are a large tribe in the southwestern part of Oregon, extending into the Territory of Utah, and are supposed to be a branch of the Camanches, as they are said to speak the same language. It is impossible to ascertain their number at present.

Soon after the commencement of the rainy season last fall, the Indians belonging to the various bands of the Spokans, began to assemble in and about Oregon city in numbers much larger than usual. Sixty of them were visiting me at one time. Their object in coming into the Willamette valley was twofold. In the first place they came to ask my aid in procuring a missionary to reside in their country, who would teach them the pre-

of the Christian religion: their next object was to labor for the whites, and procure clothing for themselves and families. They all appeared industrious and civil, and were very strict in keeping up the forms of worship morning and evening at their encampment.

Large numbers of the Wascopans, Clickatats and Cascade Indians were encamped near this place at the same time.

They all claimed the honor of making me a formal visit, upon which occasion they were supplied with provisions for the day. Each one received a present of bread, tobacco, &c., upon their departure for their distant homes.

When agents become established in these distant parts of Oregon, there will not be such a disposition among the Indians to leave their homes.

These last mentioned tribes had become alarmed at the report that the government intended to remove all the Indians west of the Cascade mountains and locate them among the tribes east of those mountains. Having satisfied myself that such a removal could not be made with the consent of the Indians, I could do no less, in answer to their daily inquiries, than promise to meet them at the Dalles of the Columbia in June, and there tell them the result of the negotiations that were about to be made by the commissioners appointed to make treaties with the Indians west of the Cascade mountains.

When it became generally known in upper Oregon that I had promised to go to the Dalles, I had pressing invitations from nearly all the large tribes of that region to extend my visits to them. They wished me to do so with a view of adjusting, if possible, many difficulties that they said never could be settled among themselves, without going to war with one of the neighboring tribes.

About this time I received instructions from Washington, authorizing me to investigate large claims against the government, made by the American board of missions, for losses sustained at their several mission stations in upper Oregon, at the time of the massacre of Dr. Whitman and family and others, in the fall of 1847; and also claims arising from the subsequent Cayas-war. Believing that no just estimate of these claims could be made without personally visiting the several mission stations; and believing, also, that it was necessary to locate an agency house somewhere in that part of Oregon, I was induced to arrange my business affairs so as to start upon this long journey about the last of May.

Were it not that I wish to give the government some idea of the difficulties attending my travels in that remote region of Oregon, as well as the enormous expense unavoidably connected with them, I would refrain from giving details that otherwise would be uninteresting at Washington.

Having made previous arrangements for riding and pack-horses to be furnished at the Dalles of the Columbia, and also for boats to convey us from the Cascades to the Dalles, we embarked the 30th of May, at Oregon City, aboard the steamer "Lot Whitcomb," destined to the Cascades. Our company consisted of the superintendent and secretary, two interpreters, three packers and a cook; besides these there were two carpenters and a blacksmith who were going with us for the purpose of building an agency house. The prices paid these men were as follows: First carpenter, seven dollars per day; E. Walker, interpreter, six dollars; secretary, one interpreter, one carpenter and three packers, five dollars each; two cooks, each one hundred dollars per month.

On the morning of the second day we arrived at the Cascades. Our passage and freight thus far (eighty miles) amounted to three hundred dollars.

After two days hard labor in making the portage, at a cost of one hundred and fifty dollars, we embarked in two large boats for the Dalles, and arrived there late in the evening of June 2. The cost of getting from the Cascades to this place (forty miles) was nearly one hundred dollars. Here we found awaiting our arrival delegations from many of the Indian tribes of upper Oregon. On the 4th a council was held with them which lasted three hours, at which a variety of arguments were made use of to demonstrate the wrong that would be inflicted upon their tribes were the government to send among them the Indians west of the mountains. The habits and customs of the fishing tribes of the lower Columbia and its tributaries, were all unlike theirs; besides, those tribes were diseased and dying off rapidly. They did not wish their people subjected to those loathsome disorders, &c.

In reply, I stated to them that the government did not intend to force the Indians west of the mountains among them, nor would their lands be taken from them without a fair and just equivalent.

They separated in high spirits; and one old chief remarked that he was now willing to die, and leave his people under the protection of such a government as ours.

We experienced much delay here in changing our mode of travelling from boats to horses. On Monday morning, June 9th, we left the Dalles (having added one man more to our company to act as guide, at five dollars per day) with twenty horses—riding twelve and packing eight—for which we were to pay seventy-five cents each per day, being less than half the usual price, which is two dollars.

For the purpose of transporting building materials, &c., for the agency house, two wagons and four yoke of oxen were hired, at twelve dollars per day for every day they should be used. At noon we halted at a beautiful creek which ran through a rolling prairie, where not a tree or shrub could be seen, except a few willows along the stream. These prairies would make the best of sheep farms, where millions of sheep could be kept with little care. At one o'clock we came to a large creek—a splendid mill stream; the soil is of the best quality, although it rarely rains here, except occasionally in the winter season. At four o'clock we reached the Deschutes or Fall river, a large stream flowing into the Columbia from the south, over which we swam our horses, and encamped on the eastern side.

10th. Left the Deschutes, and, after travelling four miles along the Columbia, struck off for the high prairie lands, which are very interesting. I found abundance of excellent limestone, which had not been known to exist here: the main quarry is about midway between the Deschutes and John Day's rivers. This region is susceptible of being one of the greatest wool-growing countries in America. Reached the John Day's river at night, having travelled about thirty miles this day.

11th. In the morning, while waiting for canoes to cross the river with, I made some explorations in the vicinity, and discovered large quantities of manganese. About noon we crossed the river, and travelling up some miles encamped on a small tributary. Here I found more limestone. The country passed over this day is more broken and rough, and much difficulty was experienced in getting the wagons along.

12th. We travelled about twenty-five miles through an open prairie country, entirely destitute of timber, and encamped on a small stream called Willow creek. Here is a wide rich bottom, containing several thousands of acres: along the shores of the creek were a great many wild currants.

13th. Travelled thirty miles over a dry rolling prairie, on which there was an abundance of wild flax growing, very similar to the cultivated flax.

14th. After travelling about twelve miles we reached the Utila river five miles below the lower crossing. This stream passes through a valley of extensive flats, which are very rich and would make fine farms. At the lower crossing of the emigrant road I selected a site for the agency house. Although this is undoubtedly the best place for an agency in all this upper country, it will be a very expensive building here on account of the difficulty of getting the materials. Boards will have to be hauled forty, and shipping stuff fifty miles. There appears to be a great scarcity of timber in upper Oregon.

15th. Left our encampment on the Utila and passing over a sandy country destitute of much vegetation, and along the rocky shore of the Columbia, reached Fort Walla Walla, where we were kindly entertained by Mr. McBean, an agent of the Hudson's Bay Company. Our encampment for the night was three miles further up the Walla Walla river.

17th. Passed up the Walla Walla, and arrived at the mission station formerly occupied by Dr. Whitman: after a thorough examination of the premises (an account of which will form a part of my report upon the mission claims) we passed on three miles further up the river, and encamped for the night.

By a previous arrangement we were to remain here two days for the purpose of holding a council with the chiefs of the Cayuse tribe. Accordingly, early on the morning of the 20th, eight of these chiefs arrived with their attendants. Some of them were dressed in fine style, and all appeared highly pleased to meet us. They said they looked upon our friendly visit as one of the greatest events of their lives, and readily gave their consent to have an agency house built in their country. A beef was furnished to feed the Indians while they were together, which cost eighty dollars. We ascertained the whole number of their tribe to be one hundred and twenty-six. They were once a numerous and powerful nation, and are still a proud and mighty race, but very superstitious. There is no better land in Oregon than in the Cayuse country, which is nearly all an open prairie, well watered, and rich soil. There is very little timber except in the mountains.

21st. In the morning I visited the saw mill belonging to the Whitman station, which is rather a rude affair: (a more particular account of this mill will be given in another report.) After it had been sufficiently examined we travelled on towards the country of the Nez Perce Indians, and encamped at night on a small stream twenty miles from the Walla Walla.

23d. Our route this day was over a rolling prairie country, where all the streams run through deep ravines which were difficult to pass. It is a fine region for raising sheep, cattle, horses, &c., and good crops of wheat could probably be raised here. Encamped at night on a small creek called Elpaha.

24th. Started early in the morning, passing down the Elpaha to its entrance into the south branch, or Snake river, where we came to the resi-

dence of Red Wolf, a chief. Here we saw corn in the tassel, and many trinity apple trees, some of which were loaded with fruit. One of the apples measured six and a half inches in circumference. In the vicinity were ten lodges, one of which contained fifty-three persons. The women were engaged in pounding *comm's root*, of which they make a kind of bread, which is dried in the sun, packed in skins, and stowed away under ground for winter use. Some of these Nez Perces own large droves of horses: one of them I was informed owned over a thousand. It is very common to see from one to three hundred in a group feeding upon the prairies. Encamped at night upon the Clear Water river, three miles above the mission station formerly occupied by H. H. Spalding.

25th. Visited the mission station, and made a thorough examination, the result of which will be given in my report upon the mission claims.

26th. At our encampment on the Clear Water, we were to meet the chiefs of the Nez Perces tribe; accordingly in the afternoon of this day they began to arrive. They were all mounted on fine horses, which, as well as themselves, were decorated in the highest style of Indian art, and came riding into our camp with a great flourish of trumpets, beating drums, and firing their guns into the air. In a short time the whole valley seemed filled with Indians, galloping their horses, slanting and going through a variety of evolutions, before they came up to the camp. After dismounting, and going through the ceremony of shaking hands, their dances commenced, and were kept up until late at night.

27th. In the afternoon a grand council was held, at which there were probably over five hundred Indians present. We had a very friendly talk with them, and they seemed pleased and perfectly satisfied with our kind intentions towards them. The chiefs said they were highly delighted with our visit, which they assured us would be productive of much good. It was admitted on all hands that such a gathering had never been seen before in Oregon. Three beaves were killed to supply the Indians while at the council, the cost of which was nearly three hundred dollars. They made but two good meals for them. We ascertained the whole number of the tribe to be one thousand eight hundred and eighty.

I had made arrangements, before leaving Oregon city, to have all letters that arrived from Washington in my absence forwarded to me by express. As we were about to take up our march for the Spoken country, an Indian arrived with letters, informing me that I had been selected as one of the next board to make treaties with the Indians west of the mountains.

In order to accomplish as much as possible in this capacity during the dry season, I deemed it advisable to return at once to Oregon city. Accordingly, we commenced our homeward march early on the morning of the 30th; reached the Dalles on the 9th of July, where our company separated, a part going by the emigrant road over the mountains, myself and a few others going down the river. Passed the Cascades the 11th, and arrived at Oregon city the 15th, having been absent just forty-four days.

The geography of this country is but little known, even by its oldest white inhabitants. Therefore the few remarks that the limits of this report will allow me to make on this subject, will be confined entirely to my own observations.

Nearly all that part of Oregon west of the Cascade mountains is what might be called a timbered country; there are, however, large tracts of land that are open, the most of which are on or near streams, and are

mostly flat or level lands. Of the timber, I should think seven-tenths of it is of the different species of fir, and the remainder long-leaved pine and white cedar. I do not think there is a *white* pine tree growing in Oregon. The accounts that have been given of the immense size of the trees growing in this country are highly exaggerated. There are a few of these very large trees, but generally the trees are no larger than are found in other countries, although they are straighter and taller than any I have ever seen elsewhere. Away from the river-flats the country is rolling, or very hilly; but on the whole, there is much less waste and useless land in Oregon than is generally supposed. The lands upon the highest hills are as rich as those on the bottoms. No better wheat or fruit country can be found in the United States.

That part of Oregon east of the Cascade mountains is an open rolling prairie country, everywhere except upon what are called the Blue mountains, which are from one hundred to one hundred and fifty miles east of the Cascade range. On these there are large quantities of yellow pine.

The open prairie lands extend across the whole width of Oregon, from north to south, and, I think it is a good wheat country, and, as stated in my travels, well adapted to the raising of sheep, cattle, and horses.

Two of the buildings that I was instructed to have built for the government will soon be finished. I will, upon their completion, forward full vouchers for labor done on them, and for such materials as have not been already accounted for.

I have the honor to remain your most obedient servant,

ANSON DART,

Superintendent of Indian Affairs for Oregon Territory.

No. 70

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
Oregon City, October 3, 1851.

SIR: I have the honor to inform you that I returned to Oregon city this day, after an absence of nearly four weeks, from the southwestern part of Oregon, where we have made treaties with four bands of the coast Indians, who claimed the country from the Coquille river to the southern boundary of Oregon, a distance of about eighty miles, extending back more than fifty miles into the interior, and containing an area of over two and a half millions of acres.

The whole of this purchase is represented as being good farming land; large tracts of it are heavily timbered with white cedar, of very great growth; there are also many fine mill-streams running through it.

Port Orford, where these treaties were made, is situated on the coast-line of this purchase, about midway between the northern and southern limits. A settlement is already commenced at this point, and bids fair to become an important place. The whole amount of this purchase is 28,500 dollars, payable in ten annual payments, no part of which is to be paid in *money*. All the expense in making these treaties, adding the salaries of the officers of government while thus engaged, would make the cost of the land less than one cent and a half per acre.

I would further remark that no treaties have been made with the Indians of Oregon which seem so very satisfactory to the tribes concerned, as the two we have closed with these coast bands.

There is no connexion or intercourse between the coast tribes and the Indians occupying the valley of Rogue river, east of the coast range of mountains. Their language is different, as is the case with the different bands along the coast.

I have the honor to be, very respectfully, your obedient servant,

ANSON PART, *Superintendent.*

Hon. COMMISSIONER OF INDIAN AFFAIRS.

No. 70.

CAMP BARLOW, SAN JOAQUIN RIVER.
California, May 15, 1851.

SIR: Our last joint communication to you, under date of 25th March, from Camp Gibson, enclosed a copy of the treaty concluded by us on the Mariposa river with the Singaw-to, Po-to-yan-to-to-co, Nowan, Apoungosse, Apache and I-nex-lo-che tribes of Indians.

We have now the honor to report that on the 27th of March we left that camp, and that evening reached Camp McLearn, on the Fergno river, where we remained until the 12th of April awaiting the return of our limiers, or runners, sent up into the mountains to invite the Indians to meet us there, or on this river. It was first agreed that we should move over to the San Joaquin, where we were promised a meeting with numerous tribes or bands. We arrived accordingly at this camp on the 15th ultimo, found some Indians on the ground, and others continued to arrive daily until the 26th; when, having meanwhile treated the red men and their families to as many provisions as they could eat, and finding them in excellent good humor, we met them in council, explained to them the object and purposes of our mission, and submitted to them our propositions for a general treaty of peace, and a settlement of all existing difficulties.

On the 28th we met them in general council again: heard their replies; and finally, on the 29th ultimo entered into a general treaty with the following sixteen tribes, whose country we are now in, viz:

The How-eel-es,	}	Under the grand chief Nai-zak-qud.
Cnook-chaw-es,		
Chow-chill-es,		
Po-he-neich-es,		
Neok-chees.		
The Pit-each-es,	}	Under Towc-quiet.
Cas-soes,		
Toom-nas,		
Tai-lin-ches,		
Pes-ke-sas.		
The Wa-che-nets,	}	Under Pa-quel.
Keech-eel,		
Cho-e-nim-ees,		
Cho-ki-me-nas,		
No-to-no-tos,		
We-mol-ches.		

A copy of the treaty will accompany this letter, and give you the general outline of the tract of country assigned them for their future homes, together with the provision we have made for their subsistence during two years, and for their protection and subsequent improvement.

The district assigned these tribes will extend along the lower foot hills of the Sierra Nevada for about fifty miles, general course northwest by southwest; and fifteen miles in width, extending down some distance in the plains valleys, in which there are occasionally strips of tolerably good farming soil: enough, perhaps, with the aid of their much loved acorn, wild potatoes, wild onions, &c., and an abundance of fish in the rivers, at certain seasons, to subsist five or ten times their present number. With several of these tribes there are connected large bands or parties called "*Monas*," or warlike or wild Indians, who are still in the mountains. It is almost impossible, therefore, to form anything like a correct estimate of their numbers. From partial counts or census taken by our secretary, there are now settled on Reserve No. 1, between the Merced and Tuolumne, six or seven hundred souls, which may be increased when the *Monas* come in, to ten or twelve hundred. At this camp we have counted 711. When all come in they may number on this reservation some two or three thousand. Before we make up our final report, Mr. Adam Johnston, the sub-agent, who is now left in charge of these two reserves, will have made a more satisfactory estimate of their numbers.

These two treaties have, we think, broken the confidence of the hostile tribes in their ability to contend with the whites, and we trust will end the war and bring about a general pacification on the whole frontier. Such is our opinion, also, of the oldest settlers in this country. The district assigned these tribes, while apparently liberal in extent, is not likely to be coveted by the whites, and as a general thing is of no value for commercial or agricultural purposes. It is also outside the mining or gold district; and so far as we can ascertain, not more than one Mexican grant, and that of very doubtful authenticity, covers any part of it.

The Indians we have met here are generally a hale, healthy, good looking people, not inferior to their red brethren in the southwestern States; and from having among them many who in early life were attached to the missions of this country, have already some knowledge of letters, of stock-raising, and agriculture. We think they will, therefore, make rapid improvement when schools, &c., shall be established among them.

We have found by experience that the best way to keep these Indians of California quiet and peaceable is to give them plenty of food. With beef reasonably, and a little flour to mix with the pulverized acorn, making their favorite *panoli*, nothing can induce them to quarrel with the whites. Ever the secret history of the late disturbances is written, we have no doubt but nineteen out of every twenty will be found to have had their origin in direct aggression on the part of unprincipled white men, or failure on their part to supply the Indians with beef and flour, as the promised reward of their labor. We have, therefore, been under the necessity of making pretty liberal provision under the head of "subsistence," and now advertise you that this course will have to be pursued throughout the whole State. The cost of beef cattle in this part of the country varies from eight to fifteen cents per pound; in the southern part of the State, where the large ranchos are mostly situated, it can be bought much lower, say from three to five cents per pound. For present pressing demands we have to

do the best we can, fully satisfied that our policy is correct, and that it is, in the end, *cheaper* to feed the whole flock for a year than to *fight* them for a week.

We have now concluded, in view of the almost interminable extent of country to be traversed in carrying out our instructions, to cease acting as a board, and address ourselves to the work individually. We have made a temporary division of the State into three districts, for the purpose of negotiating treaties with the various tribes, upon the general plan submitted in our joint letter of 10th March. For our respective districts lots were drawn to-day, and the northern fell to the writer, (R. McKee,) the middle to O. M. Wozencraft, and the southern to George W. Barbour. The latter will proceed on south with our present escort: the other two will obtain smaller escorts from the commander of the division at Benicia, and proceed immediately, after the receipt of expected remittances, to their respective posts.

Mr. John McKee, our secretary, will accompany the writer, to act in that capacity, and to keep his accounts as disbursing agent. The other two commissioners will employ secretaries when and as may be found necessary. Our object is to expedite and finish these settlements and negotiations at the earliest practicable day, and thus economize both time and expense. We are now largely indebted for flour and cattle, and await the arrival of the mail with anxiety. If further remittances do not reach us soon, our operations must necessarily be suspended.

We remain, very respectfully, your most obedient servants,

REDICK MCKEE,
G. W. BARBOUR,
O. M. WOZENCRAFT.

No. 71.

SAN FRANCISCO, (Alt. Cal.,) May 11, 1851.

SIR: We, as a joint board of commissioners, having dissolved for the time being, with a view of proceeding to the three several sections of the country simultaneously, I avail myself of the earliest opportunity of placing before the department such suggestions as the occasion may require, and such information as may be in my possession.

In the first place, I would respectfully, but most urgently, impress upon the department *the great necessity* of quieting and pacifying the Indians in this country, before they become accustomed to the *usages of war*—before they learn and gain that dangerous experience.

It is my opinion, if they should gain that knowledge, we will have the most formidable of all the aborigines of this continent to contend with, and a protracted war, terminating only in their extermination, and at a fearful cost of life and treasure. They do not lack the *nerve* and daring of the best of the Atlantic Indians—they but lack the *experience*: and, with that, their mountain fastnesses will be *impregnable*. In fact they are measurably so now with their imperfect defence. There are but few of the Caucasian races who can endure the hardships and privations of their eternal snow, and *none* who can chase them down.

You have been advised of the policy we have deemed it expedient to adopt. Permit me to say a few words in relation to it.

The common and favorite place of abode of the Indians in this country is in the valleys and within the range of mountains. The greater portion were located, and had resided as long as their recollections and traditions went, on the grounds *now being turned up for gold*, and now occupied by the gold hunters, by whom they have been displaced and driven higher up the range of mountains, leaving their fisheries and acorn ground behind. They have been patient in endurance, until necessity taught them her lesson, (which they were not slow to learn, as it is measurably instinctive with the Indian,) and thus they adopt, from *necessity*, that which was deemed a virtue among Spartans and the result is, we have an incipient border war; many lives have been lost; an incalculable amount of property stolen; and the development and settlement of the country much retarded. And this will ever remain unavoidable, so long as they are *compelled or permitted* to remain in the mountains. They can come down in small marauding parties by night, and sweep off the stock of the miners and farmers, and when the loss is known they will be beyond pursuit; and I venture the assertion, that this would be the case in defiance of all the troops that could be kept here.

Our policy is, as you have been informed, to get them down from their mountain fastnesses and place them in reservations, along in the foot hills looking on the plains. The miners will then be between them and the mountains, forming a formidable cordon or barrier through which it would be difficult to take their families unobserved; and in those reservations there would be no place for concealing stolen stock, and they can there have all the protection which can and should be afforded them against their persecutors. And, lastly, they will there learn the ways of civilization, and thereby become useful members in the community, instead of being an expensive and dead weight to the general government. The country set apart for them so far is very poor soil: but a small portion of it is adapted to agricultural purposes, but remarkably well adapted to the raising of stock: and we think it would be good policy to supply them liberally with *brood stock* in addition to the beef cattle which is indispensable for *present consumption*, as the faithful fulfilment of the treaties on their part will measurably depend on it. *They must have food.*

We think that it will not only be good policy, but that it will be a good investment, so to speak, to both parties. The increase will soon be sufficient to place them beyond the necessity of receiving aid from the general government. The consumption of beef in this country, owing to the great population, is supposed to be greater than the increase of the stock; consequently the investment in brood stock, at this time, will result in a profit, as stock must increase in value; thus they will become the recipients of so profitable an investment.

This will require money, and it is a subject of surprise and regret that the appropriation for our use has been cut down *so small*. The amount required will be seemingly large, but, by pursuing the foregoing policy, it will be found to be small in comparison to all treaties where *annuities* are given.

The middle district having been allotted to me, (commencing at the San Joaquin river south, and extending up through all the Sacramento valley north, to the head waters of the Sacramento and Feather rivers,) it being the one for which I expressed a preference to the department soon after learning of my appointment, I am in hopes it will be assigned to me.

On this occasion I deem it due to the department and myself to state, that so long as we were acting conjointly, almost all of the contracts and purchases were made by the disbursing officer, without my knowledge or participation, the department having placed the funds in his hands.

I presume he alone will be held responsible: but now, acting as I do in my individual capacity, I hold myself responsible for all the contracts and disbursements that may be contracted by me for the above mentioned district. I have made the preliminary arrangements to meet, talk and treat with a portion of the Indians in this district: and am only awaiting the arrival of the mail, in which we expect the communication in relation to means, without which nothing can be done. In this country everything depends on the ready money.

All communications may be addressed to me here.

Respectfully, your obedient servant,

O. M. WOZENCRAFT.

Hon. LUKE LEA,

Commissioner of Indian Affairs.

No. 72.

CAMP NORRIS, SACRAMENTO VALLEY,

July 12, 1851.

SIR: Your communication, informing the joint board that their commission as commissioners was abrogated by a late act of Congress, and instructing us to continue our negotiations with the Indians, and assume our duties as agents, has been duly received, as also one of a subsequent date, requesting the joint board to accompany the troops that may go out against the Indians.

Since my communication of the 26th May, I have spent my time in attempting to conciliate and pacify the Indians in "El Dorado county."

The State having sent out troops against the Indians, and after having several engagements, they finally left them in the same position they found them. Convinced of the difficulty or impossibility of dislodging or subduing them, they then went into a rancho occupied by those who had been known to be friendly to the whites, and captured several as prisoners. Soon after the troops were disbanded, and the war declared happily terminated.

I have been informed that on former occasions those Indians who had been at peace with the whites have been cruelly persecuted by those who either killed or abused their men, without assigning any cause therefor, all of which has been very unfortunate, making it difficult for me to have an interview with, or conciliate them when I am favored with a talk: they have but little confidence in my promises, when they witnessed so many acts proving the reverse of my statements that the white man is the true friend of the Indian.

I have, however, made preliminary arrangements by which I expect to consummate a treaty with them. This will take time, as it can only be done after inspiring them with confidence.

In order to effect this I have licensed traders who have sufficient influence with them to collect their trade and disseminate the friendly talk.

I have sent men among them who speak their language and are influential, and placed beef cattle under the care of the traders, in order to supply their pressing necessities for food, and to induce them to come down from out of their mountain fastnesses, all of which it is to be hoped will have the desired effect of causing them to come in and conclude a treaty. I speak of this as the only true policy : further experience only confirms previous statements, that the Indians are numerous and formidable, and it is difficult, if not impossible, to subdue them by waging war ; it is possible to make terms with them by exercising a proper and humane policy, making them not only useful to themselves, but to the white community at large.

In order to accomplish this there should be an efficient government force stationed at convenient points, so as to protect both parties, and aid in enforcing the laws. In relation to the latter, I have caused to be published a communication relating thereto, as it is one fruitful of evil, and should be suppressed if we desire an influence over the Indians. Without laws and regulations of the department are enforced here, no attempt at conciliation can succeed.

The section of country in which I am now laboring, and in which so many obstacles have presented themselves in attempting to consummate a treaty, is that in which the discovery of gold was first made, in or near the south fork of the American river, extending to the Yuba on the north, the Sierra Nevada on the east, and the Mocalumne river on the south, enclosing an area of country of say ninety miles square, within which there are, so far as can be ascertained, about forty thousand Indians ; one-fourth or one-third that number are disposed to be friendly, and have more intercourse with the whites, and express great satisfaction after being told that it is the intention of the government to set apart lands for their use, and assist and teach them to live like the whites.

Mr. "Norriss," and others who have been living here for many years, and who have had intimate communication with them, say that there have been at least eighty thousand Indians within a few years past within the above limits, and think that my estimate is too low. They have diminished very rapidly of late, the mortality having been great among them ; the Indians themselves attribute it to the fact of putting on the clothing of the white man, and I have no doubt but this is one cause, as they are much less healthy in their nude condition.

The cholera has carried off a great many, as well as other diseases which have prevailed among them ; and they are disappearing from the whites by going up into the wilds of the mountains.

As previously stated, they have learned to distrust the white man ; and it would appear that the difficulty of treating with them is in due ratio to the comparative length of time that the whites have been among them.

The friendly relations which so happily existed at first have been broken, and the Indians are on the move east, going up into the mountains where they can carry on a war of retaliation, making it unsafe for the whites to go out with a view of further exploration ; and, as before stated, it will be difficult to dislodge or subdue them ; but by having the laws enforced against all aggressors, and making provisions for them, they can be brought in at a trifling cost in comparison to the expenses of a war.

I have had couriers sent out in different directions, requesting the head men of the different tribes to meet me at this place, with some of whom I have had an interview, agreeing with them to meet at a point near the

Ynba river, in the mountains, where I feel sanguine of collecting some thousands, and concluding a treaty; from thence will proceed on as rapidly as possible, visiting, conciliating and treating with them. As the disaffections and difficulties are increasing daily, it is all-important that this be done soon; yet, owing to the many difficulties presented from various causes and quarters, the want of funds leading to a want of confidence on the part of the Indians in the fulfilment of stipulations and making them presents, and owing to the success of those Indians who are in open hostility with the whites, and the distrust of those disposed to be friendly, it is difficult to assemble them: the first will defy me, and the latter deny my authority by keeping out of the way. Another difficulty here is owing to the peculiar organization, or, more properly speaking, the want of organization among these Indians, having no influential chiefs who can control them. They are in small bands, consequently difficult to get them to act in concert even in one band, and much more so with different tribes, as they are generally at war with one another; consequently very distrustful when it is attempted to bring them together. And I have reason to believe, nay, I am satisfied there are some white persons who, through selfish motives, dissuade them from coming in to meet me. Owing, as above stated, to all these difficulties, my progress has been slow: but be assured that it is to be attributed to the foregoing causes, and not for the want of untiring exertion on my part, as I have the work at heart, and will leave nothing undone which may be within the compass of my ability; and am yet confident in the belief that the most sanguine hopes may and will be realized in pacifying the Indians, and ameliorating the unfortunate state of affairs existing between them and the whites.

By the 1st proximo I will make up the quarterly returns: it will then have been three months from the time of our separation as a joint board, and thereafter monthly statements if it is possible to do so.

The commander of the Pacific department has very kindly ordered out twenty-five mounted men, under command of Captain Stoneman, to act as escort, affording me ample protection when required, and at the same time they are enabled to move with celerity in comparison with larger trains. Additional force, however, has been placed under orders, to be used should it be deemed expedient.

Respectfully, your obedient servant,

O. M. WOZENCRAFT,

United States Indian Agent.

Hon. LUKE LEA,

Commissioner of Indian Affairs.

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To the people living and trading among the Indians in the State of California.

From information received, as well as from personal observation while travelling among the Indians, and in conformity with the requests made me by the inhabitants, more particularly the miners, in sections of country occupied by Indians, it is deemed expedient to publish a communication, advisory of the proper policy to be pursued towards the Indians, and the laws in relation thereto, that none may hereafter plead ignorance of the

existence of said laws, and to inform them that those laws will be *enforced*, in hand every instance, on those who may become amenable to them.

It would appear that most of the difficulties that unfortunately have occurred between the white and red men have been owing to an improper and short-sighted policy, or rather a want of true policy, with these children of the forest. Since the discovery of gold in this region, the section of country that was, and is necessarily the homes of the Indians, has been hounded in the precious metal, and consequently filled with a population *foreign* to them; and this has been done, in most instances, without attempting to conciliate them or appease them in their *grief* and *anger* at the loss of their homes.

I am sorry to say that, in many instances, they have been treated in a manner, were it recorded, would blot the darkest page of history that has yet been penned. Had they even been *foreign* convicts, possessing as they do, a full knowledge of the evils of crime and the penalties therefor, and received the punishment that had been dealt out to these poor, ignorant creatures, this enlightened community would have raised a remonstrative voice that would have rebuked the aggressor, and caused him to go beyond the pale of civilized man.

Indians have been shot down without evidence of their having committed a offence, and without even any explanation to them of the nature of our law. They have been killed for practising that which they, like the Spartans, deemed a virtue: they have been rudely driven from their homes, and repatriated from their *sacred grounds*, where the ashes of their parents, ancestors, and beloved chiefs repose. The reverential and superstitious feeling of the Indians for the dead, and the ground where they are deposited, are more powerful than that of any other people.

This is not only inhuman and unlawful, but it is bad policy. The Indians of the Pacific are not unlike this great ocean in that respect; they are *peaceable* and very *tractable*; and, by adopting a policy towards them dictated by feelings of mercy, making due allowance for their ignorance of our habits and institutions, and bearing in mind that their habits and customs are very different from ours, treating them kindly, and with a firm persistence teaching them the requirements of our laws, permitting them to remain among us, teaching them industrious habits, you will make useful members of the community, instead of the most dangerous and implacable enemies.

In addition to the foregoing direct, atrocious outrages, so frequently perpetrated on the Indians by those claiming to be *civilized* men, there are those who *indirectly* cause as much mischief, endangering the lives of the families in the community, and finally destroying the Indians as surely, if not as speedily, as the first.

They are those who, for present gain, steel their consciences against the future consequences, knowing them fraught with frightful evil; selling these sanguinary beings intoxicating liquors, contrary to law, and in opposition to the dictates of their better judgments, and likewise selling them arms and ammunition; thus inciting them to acts of violence by intoxication, and then placing in their hands those instruments with which they may, and do seek vengeance alike on the innocent and culpable.

I am happy to learn that there are but few who now prosecute this dangerous and unlawful traffic, and those few are supposed to be foreigners;

and the law-abiding citizens freely proffer their aid in bringing them to justice.

As stated above, I will herewith publish the laws in relation to this traffic, that ignorance may not be pleaded in extenuation.

An act to regulate trade and intercourse with Indian tribes, and to preserve peace, &c.

Sec. 13. *And be it further enacted*, That if any citizen, or other person, residing in the United States or the territory thereof, shall send any talk, speech, message or letter to any Indian nation, tribe, chief or individual, with an intent to produce a contravention or infraction of any treaty or other law of the United States, or to disturb the peace and tranquillity of the United States, he shall forfeit and pay the sum of two thousand dollars.

Sec. 20. *And be it further enacted*, That if any person shall sell, exchange, or give, barter or dispose of any spirituous liquor or wine to an Indian, in the Indian country, such person shall forfeit and pay the sum of five hundred dollars: and if any person shall introduce, or attempt to introduce any spirituous liquor or wine into the Indian country, except such supplies as shall be necessary for the officers of the United States and troops of the same, under the direction of the War Department, such person shall forfeit and pay a sum not exceeding three hundred dollars: and if any superintendent of Indian affairs, Indian agent, sub-agent, or commanding officer of a military post, has reason to suspect, or is informed that any person or Indian is about to introduce, or has introduced any spirituous liquor or wine into the Indian country, in violation of the provisions of this section, it shall be lawful for such superintendent, Indian agent, or sub-agent, or military officer, agreeably to such regulations as may be established by the President of the United States, to cause the boats, stores, packages, or places of deposit of such persons to be searched; and if any such spirituous liquor or wine is found, the goods, boats, packages, and peltries of such person shall be seized and delivered to the proper officer, and shall be proceeded against by libel in the proper court, and forfeited, one-half to the use of the informer, and the other half to the use of the United States; and if such person is a trader, his license shall be revoked and his bond put in suit. And it shall moreover be lawful for any person in the service of the United States, or for any Indian, to take and destroy any ardent spirits or wine found in the Indian country, except military supplies, as mentioned in this section; and, by a subsequent act of Congress, imprisonment for a term of two years is also imposed upon all offenders.

It is also provided that, in all prosecutions for the offences mentioned in the first of the foregoing heads, "Indians shall be competent witnesses."

In relation to the proper policy to be pursued towards those Indians who are provided with fire-arms, I would suggest that they be disarmed, but not in the manner advocated by some, who would either shoot them, or violently wrest their arms from them. It would be well to consider, first, that they *bought* those arms from the white man, and we would wish to teach them that the acts of the white man are good; and we would wish to teach them to imitate them: and it is not correct for them to infer, that because one or more white men act badly, the balance are necessarily so.

The proper policy would be to require of those Indians who may be

found with arms in their hands, to inform on those from whom they were purchased, taking him or them before the culpable trader, demanding a return of the amount paid by the Indian, and making him feel the consequences of his derelictions.

O. M. WOZENCRAFT,
United States Indian Agent.

No. 73.

SAN FRANCISCO, CALIFORNIA, *July 28, 1851.*

SIR: I wrote you last from Camp Belt, on King's river, under date of the 14th of May, enclosing a copy of a treaty concluded at that place between myself, as commissioner, on the part of the government, and twelve tribes of Indians, which I hope you have received.

Since that time I have effected three other treaties, copies of which I should have forwarded to you from Los Angeles, but was prevented by severe indisposition, which lasted until after the departure of the mail steamer; and having determined to return through the Indian country to this place, I have deferred writing to you until my arrival here, which was this morning, and I now hasten to give you a brief account of my "actings and doings" from the date of my last letter to you to the date of my return to this place.

Immediately after concluding the treaty on King's river I despatched runners to the tribes north of Kern river, desiring them to meet me on the Cahwia river, at a place designated, some thirty-five or forty miles distant from our camp on King's river. As soon as provisions arrived from Stockton (distant about one hundred and eighty miles) for the troops, we moved on to the place appointed on the Cahwia river; on my arrival there, I found delegations had already arrived on the ground from some five or six tribes, and others were expected. I was somewhat surprised from the fact that I had previously learned from the Indians at King's river that there were only three tribes north of Kern river, from the mountains to the lakes, untreated with; whether this information resulted from their ignorance or disposition to deceive I cannot tell; but, at all events, by the 28th of May, delegates from seven tribes, numbering from twelve to fifteen hundred persons, had assembled; learning that there were yet other tribes north of Kern river, but that they were unwilling to come to the Cahwia to treat, but would west of me, at some other point more convenient to them, I immediately commenced negotiating a treaty with the seven tribes represented. I found them ready and willing to treat, having committed many depredations upon the lives and property of the whites, and dreading the consequences of their hostile conduct; I found them, with the exception of the "Ko-ya-te" tribe, willing to treat upon almost any terms. The "Ko-ya-tes" being a large tribe, and the chief, (Pedro,) a cunning, shrewd, and vicious Indian, I had some trouble in getting him to consent to leave the country in which he lived, and remove to the country which I proposed giving to them, (the same designated in the treaty, a copy of which I herewith enclose to you,) though, after much "talk" and consulting together, he finally agreed to the terms proposed, and on the 13th of May the treaty was formally signed, &c.

The country given up by these tribes, or some of them, embraces some of the best lands in California, being a portion of what is known in this part of the State as the "Four creek country." The country given to them is generally inferior, but has a sufficiency of good soil, water, &c., to answer all their purposes for all time to come. After agreeing upon the terms of the treaty, but before it had been drawn up and signed, I despatched runners to the other tribes north of Kern river, and desired them to meet me on Paint creek, at a point designated, about forty miles south from our camp, on the Cahwia. By forced marches, we reached the place designated on the evening of the 1st of June. I found the chiefs, captains and principal men of four tribes, with many of their people, already on the ground. Those tribes number about two thousand; one portion of them living near Buena Vista lake, and the others on the head waters of Tula river and Paint creek. Those living near the lakes have the reputation (to use the language of the country,) of being "*good Indians*," having always been friendly to "*the Americans*," though like the other tribes in the San Joaquin and Tulare villages, uncompromising enemies to Spaniards and Mexicans, or Californians. I found them very willing to treat, after having explained to them the principles upon which we proposed treating with the Indians in California. I found them more intelligent, more athletic, and better qualified for either peace or war, than any Indians I have seen in California. They were a terror to the Spaniards, being greatly their superiors in war; they have great influence over the neighboring tribes, and until very recently have been at war with the Cahwia and other tribes inhabiting the "Four creek" country. On the 2d of June I concluded a treaty with them, which was formally signed, &c., a copy of which I herewith enclose to you.

Having treated with all the tribes between the Sierra Nevada and the "coast range", north of Kern river, and learning that there were several tribes near the terminus of the Tulare valley, and south of Kern river, I immediately despatched runners to them, requesting them to meet me at the Texan (Tahone) Pass, about seventy-five miles distant from Paint creek. I reached the Pass, at the southern extremity of the Tulare valley, on the night of the 6th; on the 7th the chiefs and captains of eleven tribes or bands, with the most of their people, came in; and on the 10th, I concluded a treaty with them, which was formally signed, &c.; a copy of which I also enclose herewith to you. This treaty embraced the last of the tribes in the San Joaquin and Tulare valleys, from the Stanislaus river north, to the Los Angeles south, including the whole country from the top of the Sierra Nevada to the coast, embracing a district of country from four to five hundred miles in length, and from one hundred and fifty to two hundred in width.

The tribes included in the last treaty were mostly small bands, mere remnants of tribes once large and powerful: but, what with the drafts made upon them by the Spanish missions, (several of which are located just across the mountains, within the immediate vicinity,) for laborers, and the almost exterminating wars that, from time to time, have been carried on among themselves, together with the ravages of disease *intentionally* spread among them by the Spaniards who feared them, they have, in some instances, been almost annihilated. The Uvas, once among the most powerful tribes in the valley, have been, by such means, reduced to a mere handful, and do not now number more than twenty persons; and among the Texans, I

met with an *old man*, the last of his tribe, at one time a large and powerful tribe, but war and pestilence had done their work, and *he alone* was left to prove that such a tribe had once existed.

After concluding the last mentioned treaty I started for Los Angeles, distant about one hundred miles. At that place I hoped to receive, through Colonel McKee, the disbursing agent, the *means* necessary to enable me to prosecute my mission south, to the Colorado river, and to the southern boundaries of the States; but in this I was disappointed. On reaching Los Angeles, on the 16th of June, I received a letter from Colonel McKee, informing me that he had sent to me three small packages of goods which I had ordered, but informing me that he had no money. This information placed me in a rather unpleasant situation. When I separated with Colonel McKee, on the San Joaquin river, about the 1st of May, he informed me that he could not furnish me with any funds, but that on his return to San Francisco he would send me some; at King's river, about the middle of May, I received from him two hundred and thirty-one dollars, which he informed me he had charged to my private or salary account; by the time I reached Los Angeles I had exhausted, in the way of presents to the Indians, all the goods (except a few blankets) with which I had been supplied. Finding myself without goods for presents to the Indians, without money, having not only exhausted the above amount, but, in addition, what little I had of my own private means, besides some I borrowed on my own individual responsibility; and having pushed our credit as far as I deemed it prudent, I determined to discharge the escort that accompanied me through to that place, and return to San Francisco, or proceed down the coast with an escort of citizens, who kindly proposed to accompany me to the Indian villages in the vicinity. Another reason influenced me to dispense with the military escort at that place. I learned from persons well acquainted with the country through which I would have to travel to reach the Colorado, that at this season of the year it would be impossible to march a body of troops (foot) across the great sandy desert, over which we would have to travel to reach the Colorado, the distance across the desert being over one hundred miles, without one drop of water, or one blade of grass or vegetation of any kind; accordingly, on the 17th day of June, I addressed a note to Captain E. D. Keyes, who had command of the escort, dispensing with the further services of his command; a copy of which, together with his reply, I herewith enclose.

Having determined on visiting some tribes of Indians living fifty or sixty miles from Los Angeles, (between whom and a party of lawless white men a fight had recently taken place, in which a dozen of the latter had been killed,) and try to effect treaties with them, I despatched runners to them, desiring them to meet me at a point named on a given day; but before the time for my departure to the place designated, and before I had recovered from my illness, news reached me that an outbreak among the Indians in the Tulare valley, with whom I had treated, was threatened, and would in all probability take place. Under the circumstances, I concluded it would be better for the country, and more in accordance with the duties of my mission, to return, and, if possible, secure what had been done, and prevent the outbreak of a large body of Indians, who had but recently been engaged in open hostility with the whites, than to prosecute a treaty with a few tribes who for years had been entirely at

peace with the whites, with the exception of the recent affair of which I have spoken, and to which they were influenced by some of the citizens themselves, and for the doing of which they were sustained by the better portion of the community.

Although barely able to travel, I employed seven men, well armed and mounted, and with them and my interpreter and secretary, on the 30th of June, I started for the Tulare valley. On reaching the valley, I learned from the Indians that some lawless white men and Sonorameans had visited their "ranchero," or village, and offered some violence to one of their "headmen," but were deterred from doing him any serious injury by the timely arrival of a party of *gentlemen* who happened to be travelling through the country at the time. This affair has produced some little distrust on the part of these Indians. I remained a day or two with them, called on the neighboring chiefs, held a talk with them, made them some presents, and left them well satisfied. I then proceeded to visit the most of the tribes at their villages in the Tulare and San Joaquin valleys. I found some distrust on the part of a few tribes, but after talking with them, and making them a few presents, they professed to be well satisfied; and I am *convinced* that if the whites will not molest them, and the government will, in good faith, carry out the treaties that have been made with them, they will in good faith comply with the stipulations on their part. But much is to be feared from the conduct of reckless and vicious white men, too many of whom are to be found travelling over the country in bands or parties, murdering and robbing those who happen to be so unfortunate as to fall into their power; in truth, sir, I feel less fear of danger in travelling through the country from Indians than from white men.

In conclusion, upon this subject, I can assure you that all the Indians in the San Joaquin and Tulare valleys, who a few months since were at open war with the whites, are now entirely peaceable and quiet: and instead of robbing the "ranches" of the citizens, and driving off and feeding upon their mules, horses, and cattle, are now at work, many digging gold, with which they purchase clothing, food, &c., whilst others are employed in fishing, hunting, or gathering the roots, nuts, seeds, &c., on which to subsist. With many of them a feeling of emulation and interest has been excited, and I have no hesitation in saying that, with proper care and attention, in a very few years they will be greatly in advance of the Indians of the Atlantic slope in wealth, civilization and intelligence.

I had some trouble in getting the "miners," and others, on my return through the different "Indian reserves," to leave the reserves: but succeeded in prevailing on most of them to leave. Although it was a primary object with us to withdraw the Indians from the "gold diggings," and from the best portions of the lands in the country, in which we have succeeded beyond our most sanguine hopes, yet evil-disposed and jealous-hearted men soon succeeded in making an impression upon the minds of the whole country. At once an excitement was gotten up, and hundreds flocked to "the reserves," expecting to find "rich diggings." Finding, however, that they were *deceived*, and that there were no mines in "the reserves," that "*would pay*," many left; and the few that remained to "*prospect*" upon them were, with a few exceptions, prevailed upon to leave; and the few who *obstinately remain*, I think, will leave in a short time, as I am well satisfied

that there are no "diggings" within the Indian territories that will pay the *white man* for his labor.

The treaties not having yet been ratified, and there being so small a number of government troops in the country as to preclude the possibility of having a sufficient force stationed at the different points absolutely necessary to the proper execution of the terms of the treaties by both whites and Indians, we are compelled to pursue towards the whites at least a temporizing course. This I find the more necessary from the *peculiar* character of the population of the country.

Since reaching here, I learn from Colonel McKee, the disbursing agent, that he has no funds on hand, or indeed in prospective, to enable me, at this time, further to prosecute my mission in the way of treaty making; that he has not been advised even of the means of realizing the \$25,000 appropriated by the last Congress: and that, were he able to do so, the whole amount would be required to meet the liabilities already incurred by us in the discharge of the trust confided to us.

I shall, therefore, immediately after the arrival of the mail steamer from Panama, due here about the 1st of August, return to the San Joaquin; and, by every means in my power, try to maintain peace and quiet between the whites and Indians in the San Joaquin and Tulare valleys, until such times I may be placed in funds or means to prosecute treaties with the Indian tribes in the extreme southern portion of the States, and on the Colorado river.

I now, sir, a request to make, which is respectfully to ask the permission of the department to visit my family in Kentucky during the next winter. I would not make the request if I believed that the interest of the business confided to me would, in the least, suffer from your compliance with it; but we may reasonably expect that the "rainy season" will commence about the 1st of November, (the usual time of its commencement;) after which time it is perfectly impossible to transact any out-door business of importance, and wholly impracticable to travel over any portion of the country before the middle of April or the 1st of May; hence I could render but little, if any, service in connexion with my mission in this country. Again; if you think it advisable, and would authorize me to do so, I could hire an escort of thirty or forty men to accompany me to the Colorado, and, if necessary, through to Texas or Missouri. On my way to the Colorado I could, and would visit all the Indian tribes in southern California, not yet treated with, (and there are many on the Colorado,) and, if possible, form treaties with them. From my knowledge of the expense attending the military escort that accompanied me on my late expedition through the San Joaquin and Tulare valleys to Los Angeles, I am well satisfied that, if my suggestions should be approved, I can save to the government, by employing such an escort instead of a regular military force, at least \$25,000. Such a force would move with more expedition, and require much less transportation and provisions, &c., than an escort of infantry troops, the only kind that would or could be furnished, in all probability, by the military commandant of the division for such a service. However, sir, I only make the suggestion with a view to economize as far as possible; but, in view of all the circumstances connected with the discharge of the duties of my office, I would again most respectfully ask that, by some order or otherwise, I be permitted to visit my family, whom I

hastily left on the receipt of instructions accompanying my appointment. I hope, sir, you will pardon me for having pressed this matter upon your kind consideration.

In compliance with your instructions I will, at as early a day as practicable, prepare my report as commissioner, and forward it together with the original treaties entered into between myself and the various Indian tribes with whom I have treated.

With sentiments of the highest regard, I am, sir, your obedient servant.

Respectfully.

G. W. BARBOUR.

I would be pleased to hear from you on the subject of my return at your earliest convenience.

G. W. B.

Hon. LUKE LEA, *Commissioner, &c.*

No. 74.

CAMP AT BIG BEND OF EEL RIVER.

Twelve miles southeast from Humboldt, Sept. 12, 1851.

SIR: My last letter was dated San Francisco, July 29th, to which referring, I have now the honor to report, that on the 8th ultimo I joined my escort of thirty-six mounted men, under command of Brevet Major H. W. Wessetts, at Sonoma, and on the morning of the 11th commenced our march for Humboldt bay.

As our route would be mainly through an uninhabited and almost unexplored region, we started with thirty days' rations, on pack mules, with a drove of one hundred and sixty head of cattle close in our rear. The cattle were sent along by General Estell, of Vallégo, with the understanding that the escort party and my own should pay for the number used at the current rates of the country, leaving his agent to dispose of those remaining to the miners on the Klamath.

Owing to the want of funds in the Indian department, I was forced to employ men to manage my own pack train, whose wages, at the rates paid by Major Wessetts, say eighty to one hundred dollars per month, will add largely to my expenses. The mules required, except three or four riding animals, which I had to purchase, were, with thirty days' rations for twelve men, furnished by the department at Benicia; our estimates were quite low enough; for, by the 9th instant, when we reached the first white settlements on this river, (four weeks and one day out) our supplies were pretty well exhausted. Our *caravan* consisted of seventy men, one hundred and forty horses and mules, and one hundred and sixty head of cattle; of course reference to grass and water was of the first importance in selecting our camps. The general course from Sonoma to this place is northwest, and the distance not far from two hundred and fifty miles. The first seventy or eighty miles up the valley of Sonoma creek and Russian river, were accomplished with but little comparative difficulty; but from the time we left Russian river at its source and commenced crossing, what our guide Mr. Thomas Scabeing, called the *divide* between Russian and Eel rivers

we had for about one hundred miles a succession of hills, mountains, gulches, gorges, and sundry such as are not to be found east of the Rocky mountains, and but seldom even in California or Oregon. I am happy to say, however, we accomplished the journey with unexpected safety. Our men are all in health, and we lost but one horse, three or four mules, and six or eight head of cattle—the former broke down, the latter strayed off, and were probably stolen by the Indians.

At Sonoma I was fortunate in securing the services of Geo. Gibbs, esq., formerly of New York, and recently attached to the Indian commission in Oregon. He is acquainted with the Schinook or Chinook language, and the jargon spoken by all the tribes on the borders of Oregon and California. He is, moreover, a practical topographical engineer; has kept a journal of our entire route, and will furnish me, I hope in time for my annual report, a correct map or reconnaissance of the trail from Sonoma, showing the exact position of all the important rivers, lakes, mountains and valleys, together with a synopsis of the various dialects of the tribes we shall have met. In selecting reservations with a view to collect and remove the remnants of the tribes scattered in all directions over this coast and among the mountains, it is important that close attention be paid to similarity of language, customs, &c.

On my journey, as elsewhere in California, I have found the Indian population almost universally overrated as to numbers, and underrated as to intelligence and capacity for improvement. From information at Sonoma, &c., I was led to expect that I should find two or three thousand Indians on Russian river, at least three thousand on Clear lake, and two thousand five hundred or three thousand on Eel river. After passing through their country, and counting every soul in half a dozen rancheros, to test the accuracy of their own estimates as well as those of the whites, I make the actual number less than one-half, generally less two-fifths of the number usually estimated by the settlers below.

On the valleys of Sonoma and Russian river there may be in all, say	-	-	-	-	-	1,200
On Clear lake and mountains adjacent	-	-	-	-	-	1,000
In the two first valleys of south fork of Eel river, with language and customs similar to the above, and who should be colonized with them, from 1,000 to 1,100, say	-	-	-	-	-	1,100
On the coast, from the old Russian settlement at Fort Ross, down to San Francisco, and around the bay, by St. Raphael, Petaluma, &c.	-	-	-	-	-	500
On the mountains and valleys of Eel river, South, Middle and Vanderson's forks, and about its mouth	-	-	-	-	-	500
From the mouth of Eel river south, on ——— river, Cape Mendocino, and to Fort Ross, say	-	-	-	-	-	400
On Humboldt bay, and north to Mad river, a mile or so above the head of the bay	-	-	-	-	-	300
Total	-	-	-	-	-	<u>5,000</u>

Having as yet visited but one or two rancheros on the coast, I do not enter the above estimate with much confidence, though I think it approximates the truth, while it is only about one-third or one-fourth of the num-

ber generally estimated by the old settlers. For many years past the Indian population has been rapidly diminishing by diseases introduced by the whites, internal dissensions, and, in some cases, by want of food. At Humboldt bay, and at other places on the coast, where they depend almost wholly on fish and crabs, many sicken and die every winter: and if the benevolent designs of our government for their preservation and improvement are not speedily set in operation and vigorously prosecuted, the Indians, now wearing out a miserable existence along the coast, will all die off.

Back on the rivers and mountains, the Indians are generally a hale, healthy, vigorous looking people, though of small stature. They are all docile in their habits, and evince a great desire to learn our language and the arts of agriculture; with proper instructions and assistance for a few years, I have entire confidence in their reclamation from ignorance, idleness and heathenism, and their ability to maintain themselves and families.

On Russian river, near Felix ranche, while our runners were out collecting the Indians for a grand *pou-wow*, I took a few men for an escort, with five or six pack mules to carry our provisions, blankets, &c., for presents, and crossed the mountains into the valley of Clear lake: we found a blind trail, and the route very difficult: distance from fifteen to twenty miles. The eight tribes, who claim the valley and lake, were apprised of our approach, and their chiefs and headmen came promptly to our camp to learn what the *great chief* at Washington had to propose. They said some white men had been there, and made treaties with them, but did not live up to them, and they were now satisfied they were not *big chiefs*. After a number of interviews and explanations, which my secretary's journal will give you more fully, we finally concluded a treaty on the 29th August, which I approved and promptly carried out by the Indian Department, will, I am in hopes, quiet the Indians in that quarter, and secure the safety of the white settlements in the neighboring valleys of Nappa, Russian river, &c. I am very glad now that I took the lake in my route, as the Indians were in a very unsettled, unsatisfactory condition, and doubtless meditating revenge and reprisals on the whites in the settlements, against whom, as well as the military which went out against them last year, they make loud complaints. That they have suffered severely by the war, and also by disease, induced by privation, I have no doubt. After much reflection, personal examination, and consultation with Major Wessetts of the escort, and with General Estell of the State militia, who kindly accompanied me to the lake, I concluded to reserve and set apart the *whole valley*, and, if practicable, induce the entire Indian population, scattered along the coast about Bogeda, Petaluma, &c., to San Francisco, together with those on Russian river, and the head waters of Eel river, to remove to and colonize there. I do not think another location so completely isolated, and in all respects so desirable for the settlement and improvement of three or four thousand Indians, can be found in the State. The valley has, at present, no white inhabitants, and there are no claimants to any part of it except Don Salvadore Vallejo, of Sonoma, who is said to have a *grazing* and *ranching* privilege from the Mexican governor and about sixteen leagues in that quarter. Generally this grant is considered of no validity or value whatever; and that he has but little confidence in it himself is plain from the fact of his offering to sell his interest in it for some five or six

thousand dollars. If it should ever become desirable to quiet this claim, which I think altogether improbable, the government can well afford to do it, as it will obtain for the white settlers a far more desirable country on Russian river, and now in possession of the Indians. With the general plan proposed the Indians on the lake were well satisfied, and several of their principal chiefs returned with me to Russian river, and rendered important aid in negotiating a treaty with four of the largest bands on that river.

Copies of both these treaties will be forwarded for your examination at an early day, as soon as my secretary can find some better accommodations for writing than on his knee, in the open air, or with the light afforded by a camp fire. I will here add, that the tribes last treated with are to remove to the lake within one year, or as soon as the necessary arrangements are made by your department. It will be of the utmost importance to the peace and security of this State that full and liberal provision be made by the ensuing Congress for carrying out these California treaties *as early in the coming year as may be at all practicable.*

Finding it impossible to visit on this journey many of the smaller tribes or bands scattered among the mountains of the coast range, and on the coast south of Humboldt, and that it was quite necessary that some one or two white men should be selected to advise, and protect if necessary, the Indians treated with in my absence, and until resident sub-agents are appointed, I arranged with Gen. Estell, of Vallejo, and Mr. George Parker Armstrong, of Russian river, to attend to these matters, and particularly to the delivery and proper distribution of beef and flour, stipulated to be furnished the present fall and ensuing winter; the beef (100 head for each treaty) I get from Gen. Estell; the flour (10,000 lbs. for each treaty) from Messrs. Morehead, Waddington & Co., San Francisco, both to be paid for after Congress shall have made the necessary appropriations. This arrangement I consider highly fortunate for the country, and exceedingly liberal on the part of the gentlemen named: especially when it is considered that both are to be furnished at the *lowest cash prices* at the time of delivery.

Mr. Armstrong, besides visiting the lake occasionally, will, in the present month, visit all the Indians in the coast range and on the coast not already treated with, ascertain their numbers and arrange with their chiefs to meet me at some convenient point in the Sonoma and Russian river valleys, at some time during the present fall or ensuing spring, as I may find possible after the present expedition; mean time he is to report the facts to me at San Francisco by the first November.

After leaving Mr. Armstrong's ranche, the last settlement on the trail, travelling over some stupendous mountains, we descended into the first valley on the south fork of Eel river, near its source, and found in a little valley, called by the Indians Betumki, five small tribes, viz:

Tribes and principal chief.	Men.	Women.	Children.	Total.
Na-ich. Car-lots-a-po.....	50	22	19	75
Chin-e-cho-ak. Che-do-cho.....	25	17	27	77
Chet-a-na. Mee-ah.....	34	42	13	89
Ba-cho-na. Tu-a-na.....	27	29	28	80
Sa-nah-da. Che-cho-ah.....	15	25	10	50
				380

One or two other small parties were absent across a mountain and could not be seen. In all, this valley may contain 450 or 475. We remained two days in this valley, and supplied them liberally with beef and hard bread, and as many blankets, shirts, &c., as our small stock would afford. About 20 miles further on the trail, after crossing another ridge of mountains we descended again to the river, and in a valley called Batin-da-kia, found another Indian settlement. They were of the same general flock or family of Indians, but spoke a somewhat different lingo or dialect, and we had more difficulty in getting them to understand our objects. Many of them had never seen a white man, a horse, or a gun before, and were consequently extremely timid and fearful. They had two principal chiefs, Lam-ka and Com-a-cho-ca, and their rancheros were reported to contain 153 men, 200 women, and 144 children—497. One or two other small parties did not come in, and may increase the total number in this valley to 600 souls. We remained here one day, killed for them one or two beaves, and made them sundry presents, with which they appeared much pleased, and promised to treat kindly all white men who may hereafter pass through their country. The Indians in both valley should, I think, be removed to the Clear lake. They will be invited to meet me for consultation on Russian river, when Mr. Armstrong shall have arranged the time and place. I gave them certificates in writing of their good conduct to us, and recommending them to the protection of the whites passing through their country.

These were the last Indians we could communicate with, though we saw several other small parties on the mountains; and after we again descended to the river, all we met after leaving Batin-da-kia speak a different lingo, and were supposed to belong to the general family who live below them on this river. On our arrival here I visited Humboldt to obtain some supplies, and if possible interpreters, to open a communication with the tribes in our neighborhood. In the latter I was unsuccessful, the only two men who understand their language being absent in the mines on Trinity river, eighty or one hundred miles distant. Through Mr. Robinson, who resides near, and *his squaw wife*, I have been able to get a number of the Indians to visit our camp, to whom we have made presents. At present, the Indians here and at Humboldt bay are quiet and peaceable, express a desire to work for the settlers, eat their food, and learn their arts; all which is desirable, and it is a source of much regret that we cannot, for want of interpreters, conclude a formal treaty with them. This, from the necessity of the case, will have to be postponed till some future time. In the mean time I shall make them some more presents as soon as the messenger sent for the goods to Port Trinidad, about forty miles, returns, and set off a reservation of land

for them at or near the mouth of this river, which is twelve or fourteen miles by the channel below our camp, and by the coast fifteen or sixteen miles south from Humboldt. This appears to be necessary at the present time, to avoid difficulties hereafter with our own people, who are moving into and settling upon claims in this fertile and beautiful valley every day. Here the lands are exceedingly rich, well watered, convenient to timber, and irrigation *wholly unnecessary*. Such advantages will insure to this vicinity a speedy settlement.

It has been suggested to me by Mr. Dupere, (formerly of Norfolk, Va. now a merchant in Humboldt,) and others, that no more effectual way to benefit these Indians could be devised than to have for their use two or three pairs of good work oxen to break up a few acres of land to be planted for them in potatoes and other vegetables, and thus at once give them some idea of the advantages of cultivating the soil. I have the matter under advisement, and may adopt the suggestion if some of the gentlemen in the neighborhood will volunteer their services and see the plan carried out. The general character of the soil on this river, and the mountains also, even to their summits, is that of exceeding fertility. On the very tops of the mountains, many thousand feet above the ocean, we found grass of the finest kind in great abundance, interspersed with groves of the most magnificent timber. We encamped a few nights since under a redwood fifty-five feet in circumference six feet from the ground, and between two and three hundred feet high. I measured another, which had been burned at the roots and blown down, three hundred and twenty-five feet in length. Another gentleman of our party found a tree eighty-seven feet in the girth four feet from the ground.

The river *here* is affected by the tide and may be navigated by very small boats as high as the junction of the South and Middle forks—say forty to fifty miles. Here and there it affords fine wide prairie bottoms, but in general the bottoms are heavily timbered with redwood, maple, alder, &c. The climate being very fine and uniform I anticipate that all the good lands will be very soon appropriated by actual settlers.

I expect to remain here until the 18th instant to recruit our animals and then resume our march for the Klamath, via Humboldt, Eureka, Union and Port Trinidad. We have still a long journey before us and many Indians to visit, and, if possible, conciliate. Since leaving Sonoma we have had five or six days of wet weather, from which some conclude that the rainy season will this year set in early. If it should, our operations will be necessarily suspended. My escort will probably take up winter quarters and I shall be forced to disband my party and return by the coast to San Francisco. I indulge the hope that if the rains do not set in till the usual time, say first part of November, that I can keep the field and yet accomplish much, if not all the work before me in the northern part of the State. All agree as to the importance of the undertaking, and personally I am anxious to avoid the labor and expense of another expedition.

I am, very respectfully, your obedient servant,

REDICK McKEE.

Hon. LUKE LEA,

Commissioner of Indian Affairs, Washington City.

SAN FRANCISCO, October 14, 1854.

SIR: Referring to my communication of the 30th ult. to the department, I now proceed to make a brief statement relative to the appearance, manners, habits and customs of those Indians with whom I have negotiated, and a brief summary of the negotiation.

The Indians of this country do not differ from those of the Atlantic States as materially as is generally represented. They are evidently one and the same great family, extending over the entire American continent, differing only so far as climate and the products of the soil are calculated to produce.

That the characteristics of the human organization are modified by climate and the products of the country, I presume does not admit of successful controversy. We find in tropical climates abounding in fruits, and but few or no wild animals suitable for food, that the natives are mild and indolent the enervating effects of climate and the bounteous provisions furnished; by nature, may justly be ascribed as the controlling causes of these characteristics. Those living, again, in the mild and temperate zone partake of the nature of the climate, modified more or less by the quality and quantity of the numerous products suitable for food. In such a climate we would expect to find the natives mild but more active, possessing a higher physical and mental development; and, finally, those living in a colder region, abounding with fruits and plentifully supplied with game, we find of a better physical organization, and a higher tone of mental development.

The aborigines of this country are as *much the products*, if I may so speak, of the climate soil and its fruits, as of that of any of nature's works. This being admitted, we readily show the difference between the Indians of California and those of the Atlantic States, at the same time designating their leading characteristics.

In the valleys we find a mild, equal and temperate climate throughout the country; the indigenous products suitable for food not so abundant, however, as in the tropical latitudes, constantly requiring of the natives, in order to supply their wants, a great portion of their time in procuring their food.

There is an abundance of game in these locations, such as the elk and antelope, both of which are with difficulty captured, being found on the open plains. The rivers abound in fish, obtained at certain seasons.

In procuring their food a degree of industry is requisite, and thus we have a full type in the higher organization of the climate, animal and vegetable products of the country.

These Indians, like the climate, are mild, passive and tranquil: industrious through necessity, and only so far as necessity requires, in providing for their daily wants.

The large game above referred to being so difficult to procure, they content themselves with the vegetable products and the lesser animals more easily obtained, from the *hare* down to *small vermin*; thus procuring their food through patient perseverance, and showing the valley Indians to be mild, patient, submissive and tractable.

The mountain Indians differ from those in the valleys as materially as do the climate and its products. There they have a cold, bracing atmosphere, abounding in game, with but a sparse vegetable product; the climate

requiring a full animal diet, compels them to pursue the chase and encounter its perils.

The deer abound in the mountains, and it becomes necessary for the Indians to toil in their pursuit if they expect to procure their meat for food, in doing which they undergo great physical exertion, which the climate and its products are well calculated to sustain. And thus we have a race of beings immediately adjacent to the former, yet differing widely from them in every respect; here are *athletic, wild, brave, independent* and *measured* intractable beings, their physical and mental organization far superior to those in the valleys. And there is a third and intermediate race, whose abodes are between the plains, and immediately within the foot-hills, thus forming three separate and distinct races, all within a few degrees of longitude of each other. The tribes possess intermediate characteristics of the other two, showing as perfect gradation in their leading traits as there is in the climate and products of the country in which they live.

The marked characteristics of the mountain and valley Indians, as spoken of previously, not only exist within one or more degrees of longitude, but in latitude we find a perfect gradation from the extreme south to the extreme north, imperceptible it is true, in adjacent tribes, but by comparing the valley Indians of the south with those of the head waters of the Sacramento, the great difference is very apparent. Here they are fearlessly brave and unyielding in their independence, contending heroically for supremacy on the soil of their ancestors.

The valley Indians are mild and tractable, making good and faithful laborers, submitting to correction: and, if in fault, to correction without murmuring. In this respect is apparent the greatest dissimilarity between the Atlantic and Pacific tribes. The former possess an unconquerable spirit of independence; in subduing that spirit you destroy the being; not so, however, with the latter; they are mild, passive, and intuitively obedient to the white man, and are more easily domesticated than those on the Atlantic. With judicious management their condition can be materially improved, and in a short time placed beyond want. This can also be effected with the mountain Indians; after having been located in the valleys and foot-hills for some years, they will assume the traits of those tribes. But, as stated in a former communication, this will require time and judicious management.

The foregoing statements are not made to substantiate a preconceived theory, but are based upon mature reflection, after having seen, studied and compared the different tribes, one with the other, from the Colorado river south to the head waters of the Sacramento river north, living in the mountains, plains and foot-hills.

It is a difficult matter to obtain from them a reason for the performance of many of their ceremonies, or their belief in relation to a previous or future state of existence. Their ceremonies are numerous, which they perform with great devotion, showing evidence of intense feeling. This is innate and peculiar to all human beings, and the most enlightened will fail to give a more satisfactory reason than that of *yielding* to intuitive feelings of sorrow for the dead, or joy for the bounteous gifts of Providence.

They are evidently controlled and governed by a belief in some Great Spirit; and, like most of the ignorant and imbecile of the human family, they are actuated by fear. This spirit of theirs is considered as an evil one, and afflicts them with all the evils that "flesh is heir to." They

sometimes attempt to conciliate it by offerings, in order to obtain fish, fruits and seeds; and again will torture it and burn it, making an effigy to subserve their purpose; all of which is done for and in behalf of their dead, thereby assisting them to reach good hunting grounds, and to cross a stream which is very difficult; in fact, so much so, that none but the good are supposed to cross it. They burn some of the bodies of the dead that the wolf and bear may not devour them, believing that if such were the case they would be transmigrated into the form of the animal which destroyed them.

Their general appearance will not compare favorably with the Atlantic Indians, particularly those living in the valleys. The women are low in stature and heavily set, yet remarkably well made, and possessing small feet and delicately tapered hands; great slaves to their lords and masters, gathering all the food from the vegetable kingdom, and preparing it for consumption. They are faithful; infidelity to their husbands is punished with death. And this is one of the fruitful causes of difficulty between the whites and themselves. They are not prolific in child-bearing; indeed, they seldom have more than two. This may be owing to the fact that they rarely wean their children until they are six or eight years old. Their incessant toil and manner of life may be another cause tending to repress sexual desire. There is nothing to excite the imagination, as the men are entirely nude. Polygamy is common, some chiefs having several wives.

The men are finely formed, with the exception of the head, (it lacks the bold contour of the Atlantic Indians,) with low and heavy features; their average height about five feet five inches, though I have measured with several of my height, (six feet one inch.) Some of the valley tribes are large, particularly those in the Sacramento and Feather river; low down at these points they get an abundance of fish, and this may be a favoring cause.

The Willie, Cohes and Hoek Indians are the largest of the valley tribes. Some of the former have sandy hair and hazel eyes, an exception to their race generally, the causes of which are yet to be ascertained.

Those tribes living high up in the mountains are generally larger and finer looking, with fairer skins and higher cast of features; and, as previously stated, more independent. The country affords them a great variety of products, from which they collect their food. The acorn being their great staple of consumption, one of the just causes of their complaints is that the white man is destroying their oaks. The mansinette, a small apple, is also an article of food with them. Indeed, there is a great variety of seeds, berries, and vegetable products that have hitherto supplied their wants. But their broad fields are fast disappearing, and will continue to do so as the white population increases, until their resources and bounteous nature are gone from them. In the mean while, we would wish to teach them husbandry, that they may learn to produce from small fields a sufficiency to supply their wants.

The salmon abound in these streams. The Indians construct dams entirely across the river, driving down poles in a peculiar manner, holding the maul or driver up in the air while they repeat an invocation. They then fill it up by wicker-work of the wilows; in adopting which method for trapping the fish, they cut off, in a measure, the supplies of those living above on the same streams. At all events they are there abundantly supplied; and this may be the favoring cause of their superior development.

The Indians living higher up cannot construct these dams, owing to the

rapidity of the current. They use the spear and seine, which they make from the native hemp.

They are singularly expert in the water. I saw an Indian swim out in Pitt river, dive down and bring up a large salmon, suspend it above water, and there hold it while he swam for the shore, using his feet only, as both arms were engaged in holding aloft the fish.

It is to be regretted that in most of the reservations given to them there is but little good tillable soil; and yet it was difficult, if not impossible, to locate them elsewhere. The Indians would not consent to move further from their mountain homes than the foot-hills; and indeed, I could not take them down in the valleys, as there the soil is in the possession of the husbandman, producing for the pressing demands of a large and increasing population.

The reservation between the Stanislaus and Tuolumne rivers will be about eight by twelve miles square, and very poor soil; indeed some of it, on a dry creek intermediate to the two rivers, if possible to irrigate, might produce well. Some little on the banks of these streams may be made to produce; with this exception the balance is poor and gravelly soil. Indeed the Indians complained very much, and only consented to go that they might have a home in which they would be protected from the white man. There is no gold as yet found in this reservation, but such as is washed down these rivers.

The reservation in El Dorado county is about ten miles in breadth, and twenty-five miles in length. In this there are some small valleys that can be cultivated: the balance is broken and poor. There is more or less gold in some portions of the reservation; but as it is placer diggings (there being no quartz claims as I could hear of) it will soon be washed out.

In relation to this, I would suggest the policy of permitting those who may wish to mine within the reservation to do so, requiring of them to conform to the laws and regulations of the Indian bureau. I believe if this is not done, there will be a good deal of dissatisfaction, if not difficulty. The very fact of a prohibition being placed on their going into a reservation will induce many to violate the restriction, either through that perverse feeling which is common to the human organization, as well as the lower animals, or under the belief that it must be rich in gold. I regret that the precious metal is found here, as it was the best reservation I could find, there being no other location with less objection than this; and those hostile, who had caused so much trouble and expense to the State, could not be induced to come in elsewhere.

The reservation between the Yuba and Bear rivers is about twelve miles square. Camp Far West is included within it.

There is a *portion* of one, and two other small valleys, that are good tillable soil: the balance *very poor* and *broken*, although *well calculated* for an Indian country, and would *not*, most probably, have been occupied by the whites, were it not adjacent to a rich and populous mining region. As stated in a former communication, there are some improvements made by *squatters* in these valleys, with a view of permanency. And there is a claim or grant, a portion of which is within the boundaries, *all of which I should have avoided* had it been possible to do so in justice to both parties (the whites and Indians.) I could not act otherwise.

I have treated with bands of Indians, a portion of whom *had been negotiated with* on a former occasion by an *officer of the State*. They were

patiently awaiting the fulfilment of *that* treaty, and in the meanwhile were acting in conformity to those stipulations themselves, by refraining from all aggressions and hostilities. *They were jealous of their rights, and contended for their old homes; and I am confident, had I refused this reasonable request, they would have fled to the mountains, and immediately commenced hostilities.* As it is, they are now pledged to peace, and to bring in the mountain tribes; which I pledge they *will adhere to, if allowed to retain their present possession.* I refer to this more particularly, as it was a subject made use of to subserve political purposes prior to the late State election. The effect has been to cause considerable discontent with those living within the reservation, and induce them to make an appeal to Congress to redress supposed grievances; which, if granted, must result very unfavorably to the negotiations already effected.

I trust the department will accredit me with having performed my duty in this instance to the best of my abilities, both to the government and to the citizens of California.

The reservation of the Chico treaty lies under the foot-hills north of the Feather river; is about twenty miles in length and six in breadth: the soil poor, with the exception of a small portion on a dry creek, which is rich, and if the Artesian wells are introduced here, (of which I have no doubt of the practicability,) it will be amply sufficient for the support of the Indians. There are some small bodies of good land in the Butte and Chico creeks, within the boundaries: no gold as yet discovered in this section, with the exception of that washed down the Feather river: and but one improvement, and that to a limited extent.

The reservation made in the Cotton Wood treaty is a very favorable one for the Indians, being about thirty-five miles square: embracing within its boundaries an amount of good tillable soil, sufficient to support the numerous Indians now living within its limits, and those in the adjacent Nevada Shasta, and coast ranges. This reservation is the head of the great Sacramento valley, surrounded by the abovementioned range of mountains. It is supposed there may be gold within, it having been found, as usual, in the main streams, viz: the Sacramento and Pitt rivers. There are no improvements on it, nor does any white man live within it. The Indians living adjacent to it, particularly on the McCloud fork of the Pitt river, are very troublesome. Marauding bands are continually passing down, from their mountain fastnesses, sweeping the country of its stock: and on several occasions going into the town of Shasta and firing the buildings and property. But a short time prior to my visit there they had captured an entire train of pack mules, with their cargoes, and killed the muleteers.

Immediately after negotiating the treaty at Major Readings, which I had considerable difficulty in accomplishing, owing to the fact that Major R. was absent, the Indians manifesting but little or no confidence in any one but him, I proceeded to the head of the Sacramento valley, about twenty-five miles distant, and there perfected the arrangements to go among these troublesome Indians on the north Pitt river. Twenty-five men were detailed to accompany me, commanded by Lieutenants Stoneman and Wright. Thirty odd of those Indians who had been under the controlling influence of Major Reading accompanied me, proposing it voluntarily, and appearing desirous of showing their fidelity to me, as well as a wish to encounter the Ukas, their enemies; the balance of my escort were left at camp, in command of Major Fitzgerald, himself and a number of the soldiers be-

on the sick list. I had transportation for six days' rations, only three of which were expended, and the men and animals were well nigh exhausted on fruitless attempts to capture some of the Indians. They were apprised of my approach before I arrived in their country by their sentinels, who were posted on the mountain tops, and by signal fires, by which they spread the alarm far and wide. I would frequently see them down on the banks of the river, and but a short distance from us; the rough character of the country would present almost impassable barriers to our movements; to them they were otherwise—ascending the rugged mountain cliffs with the agility of the wild goat. I was convinced that, without some stratagem, we could not expect success; the Indians with us were unwilling to go further in a chase than we could: I retraced my steps, crossing over a high mountain on the eastern branch of the river, one of our Indians making them a parting speech from an adjacent spur of the mountain, inducing the hostiles to believe that I was leaving their country. I encamped that night on a stream that empties into the east Pitt river, and early in the morning took four men, accompanied by Lieutenant Wright and J. P. Harrison, the guide: proceeded along the banks of the stream at as rapid a pace as the rugged face of the country would admit of, and soon fell in with a band of the hostiles, and succeeded in cutting off the retreat of a few squaws and children, whom I took to camp, treating them kindly. From thence I was dissuaded to take them down to Major Reading's, in order to procure an interpreter. On my arrival at that point I found that their language could not be understood or spoken by the interpreter; he promising, however, to bring me an Indian in the morning who could converse with them. The morning arrived, and my captives had fled, and with them all my sanguine hopes of making a peace with these hostiles for the time being. Could I have explained to them my mission, and taken them back to their people, I could have succeeded in having a *talk*, and doubtless effected a peace. I look upon this as extremely unfortunate, as I was *ambitious* of success here, and had, by dint of great patience and personal exertion, so far succeeded that I looked to its final accomplishment with a degree of certainty; but the more, as it was irremediable at the time. The rains admonished me to leave the high latitudes; most of the men were sick; my engagements below were pressing; and should I go among them again immediately, I could not expect the same success. I was, consequently, compelled to leave them as I found them, troublesome neighbors to the whites.

I am now further confirmed in my communications to the department, that these Indians cannot be subdued by waging a war with them. The rugged face of the country forbids it, and the Indian can pursue his course without halt, whenever he will, and live upon the indigenous products of the soil, where the white Caucasian cannot tread or transport his food.

It affords me great pleasure to state that Major Reading called on me a short time since, and very kindly proffered to visit these troublesome tribes soon after his return home, and endeavor, if possible, to have a *talk* with them, and explain the advantages of their being at peace with the whites. He proposes taking a select party of the latter, and a band of the *friendly* Indians, in which I am to accompany him if my health is sufficiently restored to do so. I feel extremely anxious to bring these Indians in, for, from my explorations in the above mentioned section of country, I am satisfied that it is rich in gold and other resources, which must remain locked

up until they are pacified, while the surrounding country is left materially impeded in its developments.

I then proceeded down about sixty miles, and there made many ineffectual attempts to effect negotiations with several troublesome bands living on the eastern side of the coast and western side of the Nevada mountains.

The whites have been prosecuting a war against these tribes of the making it extremely difficult to approach them. I went out with three men and an interpreter high into the Nevada range, but did not succeed in having an interview with them. In the mean while I had disposed of all the escort, with the exception of ten men under command of Lieutenant Wright. On my return, I learned that my couriers had been equally unsuccessful with those on the coast range, and finally the valley Indians distrusted my motives.

I am sorry to say they have but little confidence in the white man. Their intercourse has been well calculated to make them sceptical as to his goodness and fidelity. I find it very difficult to remove or correct this impression of theirs: they are slow to believe any good is intended them. I finally had a talk with a few of the captains, and they were evidently relieved from their forebodings of evil, and appeared inspired with some confidence as to the truth of what I had stated, promising me to do all they could to have the Indians meet me when I should come again, which I promised them to do. These are the mountain and valley bands I propose making a treaty with and giving a reservation to, as mentioned in my last communication.

I had but little trouble in concluding a treaty at Colusi. The Indians had been previously informed of what I had done for those on the Coast. The reservation given to them here is on the eastern bank of the Sacramento, opposite Colusi, three miles in depth, by fifteen miles in length, unoccupied, and most of it good soil. It is on the Sutter claim: one of the purchasers, however, informed me that *he* had no objections to their remaining on it.

It will be indispensably necessary that the Indians should be protected from those claiming to be civilized beings. To effect this, there should be a military post established at Major Reading's, this point being so very far removed from any settlements.

It will be necessary to visit those Indians on the eastern side of the Nevada early in the spring. They are very numerous, and exceedingly jealous at the approach of the white man. They can be pacified without much difficulty, provided it is done previous to the whites commencing to make settlements in the country; but if this is delayed until those settlements are made, the difficulties we would wish to avoid would be unavoidable.

There are parties now organized for the purpose of taking possession of that portion of the State early in the spring. It is supposed to be rich in gold, and there is certainly some very fine soil in it. There are sections of the country there more suitable for the Indian population than that given to them on this side, and I have no doubt but that the Indians west of the Sierra Nevada would readily go east, (after effecting treaties with those on the east, and getting their assent to it,) in the event of a necessity occurring hereafter of removing them.

The department can make the estimates that may be required for the purpose, taking as a basis those transmitted by the last steamer: with the material difference, that if they are secured in the possession of a sufficient

area of country, they will require very little in addition to keep them at peace: and I would humbly, but most earnestly, urge the subject for your favorable consideration.

Respectfully your obedient servant,

O. M. WOZENCRAFT,
U. S. Indian Agent.

To Hon. LUKE LEA,
Commissioner of Indian Affairs.

VALLEY OF SAN JOAQUIN, CALIFORNIA,
Merced Indian Reservation, June 24, 1851.

SIR: I have the honor to lay before you a synopsis of my proceedings during the last three months, as Indian sub-agent for the valley of the San Joaquin. On the arrival of the United States' Indian commissioners for California, the Indians of this valley and adjacent country were in a hostile attitude towards the whites. They had assumed this position about the middle of December last, fled to the mountains with their women and children, and were engaged in a general predatory war with the miners in the mountains and persons who had located on the plains. They made frequent descents into the valley, cutting off travellers in small parties, and robbing them of horses and cattle. Their great object seems to have been to steal animals for food; but in doing this, frequent murders and other depredations followed. After becoming fully convinced that feelings of hostility were general among the Indians throughout the valley of the San Joaquin, I repaired to the seat of government to ask aid from the State on behalf of her citizens. The legislature was then about assembling, and the governor desired to lay the matter before the representatives of the people for their consideration.

I transmitted to His excellency a statement of the facts connected with the original outbreak, which had come under my immediate notice. Knowing that considerable time must necessarily be consumed by the legislature in its organization, before it could render any aid, and believing that prompt action would check, if not entirely arrest further depredations by the Indians, I repaired immediately to Sonoma, for the purpose of consulting with the then commander of the United States forces of the Pacific. A brief interview with that officer informed me of the opinion he entertained in regard to the Indian difficulties, and convinced me of his determination to maintain a "masterly neutrality" until compelled to do otherwise under orders of government. I was, therefore, induced to urge the organization of State troops, in order, if possible, to arrest a general Indian war, already commenced with some success on the part of the Indians. At this period of time, the Indian commissioners for California arrived in the country, but were delayed in San Francisco for some time before proceeding into the valley of San Joaquin. I did not see them until about the 12th of February, when they reached the Tuolumne river, under an escort of one hundred United States troops. At that place I joined the command, and proceeded in company with the commissioners through the valley, as far as Rio Rey, or Rugg's river. Deeming it important to enter into the fulfilment of our contracts with the Indians, to get them from the mountains and settled in their respective reservations at the earliest possible day, I returned

through the valley for that purpose. For the last three months I have been arduously engaged in those duties, and I am satisfied great good has resulted from a prompt commencement with the Indians. I have now under my immediate charge the Indians in the following reservations: That lying between the Stanislaus and Tuolumne rivers, containing about one thousand Indians; that between the Tuolumne and Merced rivers, containing about eight hundred; that lying between the Chow-chille river and the Cowe, or first of the four creeks, including the San Joaquin and King's river, containing about eighteen hundred or two thousand; and another adjoining this latter reservation, as set apart by a treaty recently concluded by Colonel Barbour, near to or at Tulare lake. I have not yet been in that reservation, on account of the absolute necessity of my constant attention to the Indians in the three former. I am, therefore, not prepared to state the number of Indians included in that reservation. My time has been wholly employed in passing over the former three, and regulating their internal affairs. In some of them I have had considerable difficulties to contend with, arising mostly from the destitute situations of the Indians for subsistence, and those feuds which naturally take place between the Indians and a mixed population like that of this country.

The extent of country over which my duties extend is large: the civil authorities yet imperfectly in force over it, and without any military force for my aid, I have frequently felt my inability to carry out the laws "relating to Indian affairs," and more especially the "act regulating trade and intercourse with the Indian tribes." I have, however, succeeded beyond my expectations in settling the Indians upon their lands, and maintaining the supremacy of the laws. In doing this, I have been obliged, in some instances, to depart from the strict letter of the law, and to act upon such policy as prudence dictated.

I would call your attention, first, to the situation of the Indians of this region before and at the time the respective treaties were entered into by them. They are an ignorant, indolent, and rather migratory people, who heretofore lived upon roots, grass seeds, acorns, pine nuts and fish. Their main subsistence, however, was acorns, which they usually gathered in large quantities and stored away in magazines. On the breaking out of the war in December last, the Indians retired to the mountains, leaving behind them their principal stores of subsistence, intending to return for them as necessity required. The whites, in pursuing them, burnt and destroyed all that fell in their way: consequently, at the time the different treaties were entered into, the Indians of this region were destitute of anything to subsist upon, even if left to range at liberty over their native hills. Under each treaty they were required to come from the mountains to their reservations on the plains at the base of the hills. They were but children of nature, ignorant of the arts of agriculture, and incapable of producing anything if they had been placed upon the best soil on the earth. They came from the mountains without food, depending upon the small amount allowed in their treaties, with the roots and seeds to be daily gathered by their females. These have been found wholly inadequate to their absolute necessities. It was not then the season for acorns in the mesquitto. Their new locations possessed but little of grass seeds, or the puppa, so much used by them. The consequences have been continual complaints for food, and I doubt not there has been much suffering among them.

I have been told by the chiefs that they desired to live up to the terms

of their treaty; they had "kept it in their heads and in their hearts, but their people were starving; they must die of hunger, or return to the hills."

This want of food induced petty thefts from the miners and others, which resulted in difficulties between them, and if continued must have ended in serious consequences.

Under this state of things, what was my duty? To say nothing of humanity, under such circumstances, what was the best policy to be pursued by me for the interest of the government? In the absence of authority, and in view of the best interests of the government, I "*took the responsibility*" of furnishing greater supplies of beef to the Indians than was stipulated in the treaty, relying on the government for its payment in future. This was the only alternative to keep the Indians from returning to the mountains, and undoing all that the commissioners had effected. I have also changed the manner of delivering it to them. Instead of delivering beef cattle on foot, by the head, I have ordered such as I give them to be killed and delivered by the piece or pound. My reason for doing so was, that the cattle of this country are wild and unmanageable. The Indians are without horses, and if they had horses are ignorant of managing cattle, and many escape from them after being delivered.

Already had they lost, on different occasions, over four thousand dollars worth of cattle, purchased for them by the commissioners. I have placed the duty of delivering beef to them in the hands of the licensed traders of the respective reservations. In furnishing them subsistence, I had an eye to the strictest economy, barely allowing enough to supply their absolute necessities. Besides their original destitution on entering into the treaties, the Indians of the reservations are gradually swelling in numbers, from the "Monges," or wild Indians from the adjacent mountains. These are as destitute as their friends, and must be fed, or they will all return to their covert places in the mountains, and depend upon thieving and plunder for subsistence.

In the course of my travels through this valley, I have found considerable amount of disease among the Indians demanding immediate attention. The most common are ophthalmia, of the various kinds, and syphilis. I first endeavored to make their own "medicine" men treat these diseases, but they seem to know little of the healing art. I have also had some apprehension that the small-pox might break out among them, which would, in all probability, have spread among them to an alarming extent. In order to guard against this disease, which caused so much destruction among the Indians of the Sacramento valley a few years ago, I thought it but proper to obtain immediate and general vaccination, a policy frequently pursued by the government with the northwestern tribes, but not provided for by treaty with the Indians of this valley. Should the small-pox break out among the Indians here, it would be destructive to them and dangerous to the whites in this community. Deeming it a duty on the part of the government, as well as an act of humanity to guard, as far as possible, these ignorant beings from such diseases, I appointed Doctor M. M. Ryor, who came to me well recommended, to vaccinate the Indians, and to give such medical or surgical attention to cases as might be *absolutely necessary*, coming under his notice. I am aware that such matters should generally be incorporated in treaties, or at least the department should ordinarily be consulted.

The distance from Washington, and the length of time which must be

expended in getting advices, the danger of delay, and the necessity for immediate action, induced me to make the appointment as before stated. Vaccination and attention to the most virulent cases of syphilis, and other such cases, can cost the government but an inconsiderable sum compared to the great good that may result from it.

Should this or any other proceedings of mine not meet the approbation of the department, I hope to be so informed immediately.

I also deemed it important to enforce and maintain the law of the United States, "regulating trade and intercourse with Indian tribes," over the reservations at the earliest possible date, in order to prevent as far as possible the influence of bad and irresponsible persons with the Indians, and the sale of spirituous liquors to them. In order the more readily to effect this, I licensed good and responsible persons as traders in each reservation. Every thing has been regularly complied with under the law, except the irregularity of placing the individuals in immediate operation on the reservations before transmitting the papers and reporting the same to the department. I knew this to be the only course by which bad influences upon the Indians could be avoided, and the sale of liquors suppressed. The delay of awaiting an answer from Washington would have brought among the Indians petty traders and traffickers of all kinds to make the most out of the Indians while they could. By placing an authorized trader immediately among them, other traders were prevented from locating upon their reservations or trading with them. Besides, I obtain great assistance from them, and those around them, in enforcing the laws and regulations of the department. At the dates of the treaties there were but few traders or persons of any kind located on land assigned to the Indians. Peace being restored, many were rushing upon the lands and venturing among the Indians for the purpose of mining and trading with them. Two months delay would have brought fifty times the number of persons in contact with the Indians, and caused me much trouble, had I not directly taken the course I did. By doing so, I have succeeded in foreclosing traders, and almost entirely abolishing spirituous liquors and wines from the reservation.

The applications, bonds and licenses of such persons as I have placed upon the several reservations, together with reports, are herewith transmitted.

The amount charged on licenses are as follows: Messrs. Dent, Vantine & Co., of the reservation between Stanislaus and the Tuolumne rivers, *one thousand dollars*; George Belt, of the reservation between the Tuolumne and Merced rivers, *one thousand dollars*; and James D. Savage & Co., of the San Joaquin reservation, between the Chow-chille river and the Coweer, or the first of the Four creeks, *twelve hundred dollars*.

In order to carry out the objects of the government regarding Indian territory, I attempted, by arbitration, to extinguish the titles of persons residing within the reservations. Two cases were considered, but the awards, especially in one case, were so extraordinary and exorbitant that I had no others considered. As it was important to have those persons out of the reservation whose claims were considered, on account of their keeping a tavern and a trading-house, and were, in my opinion, calculated to do mischief with the Indians in my absence, I took possession of the property under the award, leaving the final disposition of the matter to the depart-

ment. The papers connected with these transactions are also herewith forwarded.

I am, sir, your most obedient servant,

ADAM JOHNSTON,
Indian Sub-agent, Valley of San Joaquin.

Hon. LUKE LEA,
Commissioner Indian Affairs.

No. 77.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, November 25, 1850.

GENTLEMEN: You have been heretofore advised of your appointments as special agents for the Indian tribes of Texas, and as you are expected to enter without delay upon the discharge of your duties, I proceed to give you such instructions for your government and direction as the occasion seems to require. They will be brief and general, in consequence of the entire want of authority and jurisdiction on the part of the general government over the Indians within the limits of that State. None of the laws and regulations pertaining to our Indian system have been extended over them: and it has hitherto been held by this department, that to authorize such extension the consent of Texas must first be obtained.

You will, therefore, have no right to resort to force in the execution of any of your official duties; and an attempt to do so would not only be without the sanction of law, but might be regarded as derogatory to the rights and dignity of a sovereign State. Hence the means you will employ in carrying out the views and policy of the government must be altogether of a mild and persuasive character. It is greatly to be desired that this delicate and embarrassing state of things may be of short duration; but until some definite arrangements are made for placing our Indian relations in Texas on a more eligible and satisfactory basis, the department is anxious that the utmost efficiency shall be given to the limited means in its power for preserving the peace of the frontier, and preparing the way for such future dispositions of the various tribes as may hereafter appear practicable and expedient. To this end you are instructed to use your best efforts, by kind offices and friendly intercourse with the Indians, to win their confidence, and conciliate their good feelings towards our government and people. Give them to understand the immense disparity between their weakness and our strength. Impress their minds with the idea that the government is their best friend, with the will and the power to protect them when they do right, and to punish them when they do wrong. Let them know that they are required to live at peace with each other, and to abandon entirely their murderous and marauding habits. Stimulate friendly and well-disposed Indians to aid in preventing crime and bringing offenders to justice. Every possible encouragement should be given to the different tribes and bands to confine themselves within particular districts of country remote from the white settlements, and to depend on husbandry for the means of subsistence, instead of plunder and the chase. All the influence you may be able to exert must be brought to bear for the purpose of pre-

keeping our Indians from passing into the territory of Mexico. With this duty the agent to be stationed on the Rio Grande is particularly charged.

To enable you more successfully to approach the Indians, and to conciliate and control them, a considerable quantity of goods, suited to their wants, will be placed in your hands, to be distributed among them. As Agent Rogers is now here, the purchasing and shipment of the goods will be entrusted to him. It is hoped that salutary and important effects may result from the judicious bestowal of these presents; especially if the Indians regard them as the earnest of other and greater benefits to be derived from the government, provided they prove themselves worthy of its friendship and benevolence.

It is represented that large numbers of foreign Indians are in the habit of intruding upon the territory of Texas, and that most of the outrages so frequent along her borders are attributable to them. The government recognizes its obligation to put a stop to these incursions. You are, therefore, directed to look promptly into this matter. Investigate it thoroughly, ascertain the extent of the evil, and communicate your views as to the appropriate remedy. The clause in the bill making the appropriation for this service expressly confines the number of interpreters to be employed within the State to four. It is presumed that neither of you will require an interpreter continuously during the year; though each may at different times be in need of those speaking more than one dialect. The sum of five hundred and fifty dollars per annum has heretofore been deemed by this office as a liberal amount for the compensation and all the expenses of one. The like amount will now be allowed. The same measure of compensation will be given for four, making for the entire year two thousand and two hundred dollars. Each agent will be allowed for the service of interpreters within his district at the rate of seven hundred and thirty-three dollars and thirty-three cents per annum.

Your salary and that for interpreter will be remitted quarterly; or, if you prefer it, you are authorized to draw on this office at the close of each quarter.

Although by the terms of your appointment, you are equally and alike considered agents for the "Indian tribes of Texas" generally, yet it is proper that each of you should have particular charge of certain designated tribes, or of the Indians within certain designated limits. The necessary arrangements for this purpose can be best determined by consultation and agreement among yourselves, as also the location of your respective posts or stations. With a view, therefore, to the importance of prompt action in respect to these matters, and the proper understanding, division, and assignment of your respective duties, you are required to convene at the earliest practicable period. The results of your conference you will report immediately to this office.

Should Austin be the place of your meeting, it will be proper for you to call on the governor of Texas to inform him of your appointment, of the nature of your instructions, and of your readiness to co-operate with the State authorities in accomplishing the objects in view.

It will be your duty to make full and frequent reports of all your proceedings to the department, together with all other information you may from time to time obtain, calculated to impart a correct understanding of Indian affairs and relations in Texas.

From the foregoing remarks, brief as they are, you cannot fail to perceive the objects, nature and extent of the services you are expected to perform; and I will only add, that much depends on the prudence, energy and tact with which you conduct the delicate and important business committed to your hands.

Very respectfully, your obedient servant,
L. LEA, *Commissioner.*

To JOHN H. ROLLINS, Austin, Texas;

JOHN A. ROGERS, present;

JESSE STEM, Tiffin, Ohio; *Special Agents.*

No. 78.

SAN ANTONIO, *March 25, 1851.*

SIR: I have the honor to enclose herewith a copy of a letter addressed to me by Judge Rollins, one of the special Indian agents in Texas. As it contains many interesting details and views in relation to Indian affairs on this frontier, I have deemed it a duty to transmit it for the information of the department. The line, to which he alludes as having been agreed to by General Houston in a council with the Indians in 1843, and which, though not ratified by the Congress of the republic of Texas, was so far adopted as to be made the basis of a chain of trading posts, had the effect to preserve peace with the Indians for several years.

A reference to Cordova's map of Texas will show that a boundary, as required by the governor, to commence higher up on Red river, but still to include the Clear fork of the Brazos, is not very distant from that indicated in our letter, the intermediate district not being essentially important to either party. More accurate information in relation to that country, obtained since the date of our last despatch, suggests the propriety of the line as proposed by us; after reaching the north bank of the Colorado, running northwest to the line of New Mexico, but to ascend the north bank of the Red or main fork of that river to its source; thence to a point south of the mouth of the Sacramento fork of the Pecos; and thence south and west of the Sacramento, a northwest course to the line of New Mexico. This boundary will secure important advantages in lying north of the route of El Paso, which will avoid the necessity of passing through the Indian territory, and thus prevent the consequent collisions; in presenting the best line for a cordon of military posts, by reason of the sixty miles destitute of water between the head of the Colorado and the Pecos, rendering incursions along it very difficult, if not impracticable; in preserving to the Indians their favorite valley of the Sacramento, and excluding them from the valley of the Concho, as well as of the Colorado, just below the junction where it is their practise to resort for the grass on their return from their predatory expeditions into the settlements of Texas and Mexico.

During the necessary absence of General Campbell, we thought the intervening time might be profitably employed by Colonel Temple in a visit, in company with Colonel Cooper, upon a tour of inspection to Eagle Pass, on the Rio Grande, for the purpose of ascertaining, if practicable, what

are the views and feelings of "Wild Cat," and how far he might be made to subserve our ulterior purposes with the various tribes on our route. He will return during the next week, and I mention the circumstance to account for my signature alone being attached to this despatch.

I have the honor to be, with great respect, your obedient servant,

C. S. TODD.

Hon. L. LEA,

Commissioner Indian Affairs, Washington.

SAN ANTONIO, *March 25, 1851.*

SIR: In order to place you as fully as possible in possession of a knowledge of what has been done by myself and others, in relation to Indian affairs in Texas, you will allow me to add, in continuation of the conversation interrupted on yesterday:

1st. That since I have been acting as agent of the government for the Indians of Texas, I have uniformly urged that the true policy of the government was, *if possible*, to avoid a war with the Indian.

2d. That a war was not absolutely necessary in the present state of affairs, and might be certainly and safely avoided by *prompt and judicious* action on the part of the government; but that delays would prove dangerous, and embarrass the subject with additional difficulties.

3d. That no action, except that which was radical, could be effective; and that nothing short of a country for the Indians, over which the law of the United States regulating our Indian intercourses and relations were extended, together with a temporary support for the Indian, could be safely adopted as a permanent policy.

4th. That to obtain a country for the Indians was *necessarily the first thing* to be done; and that without this all effort, however honestly and energetically made for the purpose of securing a permanent and reliable peace, would be transient in their effects and abortive in their result.

5th. That it would be incalculably less expensive to purchase a country for the Indians, remove them to it, and support them until they had made some advance in agriculture, than to attempt to deprive them by force of a country which they very properly thought their own, to say nothing of the duty of humanity, or the sudden and violent interruption which a prolonged and uncertain war would cause to the prosperity and progress of this and other frontier States.

6th. At the risk of being considered out of the line of my duty, and for the reason that I found the proper course of action for me so intimately and inseparably connected with the defence of the frontier that I could not speak of the one without introducing the other, I have stated that the present system of defence amounted to no defence at all: and that, while the Indians had no country and no means of subsistence, with an undisciplined line of great extent to be defended, never could accomplish any useful purpose.

7th. That regular troops, so long as they were enlisted at the "drinking-houses" in the large cities, at a stipulated price per head, from creation's outcasts, and officered by men who, however genteel and well informed in relation to other matters, were unskilled in the woods and

ignorant of the habits of Indians, never could be of much service on a frontier like this, and against such an enemy.

9th. That volunteer troops, such, in general, as offer themselves to the government at present, were worse than the regulars; for, while the one occupied themselves very fully and satisfactorily in doing no good, the others managed to refresh themselves with an alarming amount of mischief.

9th. That one agent was not enough here; that additional means should be allowed, and one general agent, with such sub-agents as the service required, should be employed.

10th. That it was possible to obtain from Texas a country for the Indians, and that a line, beginning at or near the mouth of the "Big Wachita," and running thence to the Keechi village on the Brasos, thence to the mouth of the Concho, and up that river to its head waters, and thence to some point on the line separating the territory of the United States from the State of Texas, would be satisfactory to the Indians, and probably so to Texas. I have also stated that this line was below a supposed line recommended by Major Neighbors, but above the temporary one contemplated by the legislature of the Texan Congress in 1843; and it may be proper for me to state here, in addition to what has already been communicated to the Indian bureau, that the identical line mentioned is not insisted upon as the only proper one. It is intended to indicate the points in the vicinity of which the line should be placed only. It might be run a little higher up on the Red river and Brasos without serious injury to the Indians, or a little lower down without injury to Texas. As I have never sought to indicate the line with mathematical accuracy, but simply to give my opinion in general terms, I am by no means certain that it is precisely the same line I have occasionally referred to in my communications to the Commissioner of Indian affairs, and in conversation upon the subject; but it is sufficiently accurate for present purposes.

I will also state, as some excuse for not having exerted myself more for a line so obviously necessary, that, in November last, while Colonel Howard was here, I suggested this to him as a proper line; and stated that it was my belief that, if the government of the United States would assume to pay the citizens of Texas for the property stolen since annexation, the State would grant the country above the line referred to for Indian purposes. Colonel Howard and myself called to see General Brooke to know whether, if such a line were established, the military posts could be at once removed to it, and to get his opinion as to whether such an arrangement would not greatly increase the security of the frontier and the probabilities of peace. General Brooke not only coincided with the views expressed by me, (for, as usual, I found it agreeable to myself to do most of the talking,) but also expressed much anxiety that the arrangement should be speedily consummated. It was then understood that Colonel Howard would, during the session of the legislature, then about to convene, make a speech in Austin, when he would introduce this subject: and that I would follow it up in the newspapers by some articles, pointing out the advantages which the arrangement promised. My duties called me to the Indian country immediately, when I remained till late in December. Professional engagements, as I have been informed, prevented Colonel Howard's going to Austin, and the subject was in this way postponed. On my return from the woods, I learned, for the first time, that additional agents had been appointed, and instruc-

tions given: and I deemed it proper to wait until I could have their assistance, and learn more fully the views of the department upon this subject. Hence, although many citizens have requested it, I have said nothing in the papers as agreed with Colonel Howard; and not until very recently placed the commissioner of Indian affairs in possession of my views as to the proper country for the Indians, and the means necessary to be employed to obtain it.

11th. I have not stated to the department the fact, upon which some emphasis has been placed, that President Houston, acting as the treaty-making power of the republic, did make a treaty with the Indians, by which it was agreed that the country should be divided; the Indians taking that part of the country above the line referred to in the legislative act of 1843; because, upon inquiry, I was informed that the archives of Texas furnished no evidence of such a treaty. The men who interpreted for President Houston, while making the treaty, are living witnesses of the fact; and they further state that the Indians faithfully kept their part of the agreement, until surveyors and land locators began to make encroachments upon the country assigned to them.

12th. I have stated that the Indians of Texas, if the offer were made to them, would gladly avail themselves of a position similar to the one enjoyed by the civilized Indians under the jurisdiction and protection of the government of the United States.

The foregoing are the leading points towards which, at different times, I have sought to invite the attention of the government; and I am continually strengthened in the conviction of their importance by an increasing familiarity with the Indians and the country. If these reiterations here can be of any service to you, or in any manner promote the interest of the country, it will be a source of pride and gratification to me.

Very respectfully, your obedient servant,

JOHN H. ROLLINS.

One of the special agents for Texas Indians.

To Colonel TODD,

Commissioner, &c., San Antonio, Texas.

No. 79.

SIR: I have the honor to submit the following report:

In accordance with arrangements made by Judge Rollins and myself, at Austin, as communicated in our joint report from that place of the 18th of April last, we started from San Antonio for the Indian country on the 7th day of May, and at Fredericksburg, (Fort Martin Scott,) were joined by Colonel Hardee, with a command of two hundred dragoons.

At this place we saw and had an interview with the chiefs and some of the principal men of the Lipans, and appointed a council with them and the southern Comanches, to be held on the Llano river, on or about the 22d day of May. We accordingly despatched runners to Catumsie, Buffalo Hump, and Yellow Wolf, chiefs of the southern bands of Comanches, advising them to meet us. We moved our camp up to the Llano on the 18th of May, and on the 20th were joined by Colonel Hardee, with a portion of

his command. At this place we remained eleven days, and were met by the Lipans, and Catumsie, with his sub-chiefs and principal men. Buffalo Hump was reported to be high up on the Brazos and very sick. We made no further attempt to communicate with him. Yellow Wolf, with his band, was reported on the east side of the Colorado, and willing to meet us. He did not make his appearance, however, and it was alleged was not able to do so on account of a sudden rise in the Colorado.

Our interviews and talks with Catumsie and the Lipans were very satisfactory. They evinced great anxiety to maintain peace and good feeling with the whites; insisted that they had kept their treaty stipulations in good faith; that neither they nor any of the southern Comanches were chargeable with the depredations committed on the frontier since the treaty of December last on the Llano, but that these outrages were perpetrated by northern Comanches, Kiowas and Wichitas.

Catumsie professed a readiness to comply, as far as in his power, with their agreement to point out the persons, the capture of whom was contemplated by this expedition, and designated Car-a-wah as sub-chief, to go along for that purpose. From all the information we could obtain, however, the northern Comanches, among whom these persons were to be found, were high upon the Canadian, beyond the limits of Texas, and it was feared we should not be able to accomplish this part of the object of our expedition.

The Lipans and Comanches present cheerfully responded to our demand of Mexican prisoners in their possession: (they denied all knowledge of the little son of Mr. Hart, or any other American prisoners;) and it was agreed that they should get together such Mexican prisoners and deliver them into the hands of Judge Rollins, who determined to return from this point to San Antonio, after visiting the Lipans in their camp.

Judge Rollins' report will give a more detailed account of this part of our expedition, and of the delivery to him, in pursuance of this understanding, of some seventeen Mexican prisoners and some stolen property, and of the surrender of the little son of Mr. Hart, of Refugio, who was reported to the undersigned and Colonel Hardee, by the chief Catumsie, several days after we had left our camp on the Llano, and resumed our march for the head waters of the Brazos.

On the 29th of May I left the Llano, accompanied by two Delawares, as guides and runners, Car-a-wa, the Comanche chief, and John Conner, as interpreter, escorted by Colonel Hardee, with his command.

It was determined by Colonel Hardee and myself, that we would proceed to the head waters of the Brazos, where our guides and runners represented that the northern Comanches usually hunted when in Texas.

We continued our march nearly due north for thirteen days, to the Clear fork of the Brazos, meeting no signs of Indians on the route. Before reaching this stream we despatched runners to points higher up, with the view of discovering any indications which might exist of the presence of Comanches, but found no signs any where denoting that they had recently been in that vicinity. The capture of the Indians who murdered the German at Craig's trading house, and abducted the little girl from near Aransas bay, was therefore necessarily abandoned, every circumstance confirming the information that those Indians were not in the State of Texas.

It remained only to visit the several tribes of Indians who inhabit the

Brazos, and who, under the division made by Judge Rollins and myself, are especially under my supervision. These are the Wacoos, Keechiees, Ta-wac-car-ros, Caddoes, An-a-dai-eos, and Ionois, and some Delawares and Shawnees.

The first three tribes above named are associate bands under A-qu-a-gosh, principal chief of the Wacoos, and O-chi-das, head chief of the Ta-wac-car-ros. They met me in council, near the Waco village, on the Brazos, on the 13th of June. On the 15th, I saw and held talks with Jose Maria and Towash, and the principal men of their bands, (the Caddoes, Andai-eos, and Ionois,) near their villages on the Brazos, about twenty miles below the Waco village.

These tribes have maintained friendly relations with the whites, and are regarded as peaceable and well disposed. In these talks with me, they professed the most cordial feelings towards our government and people, expressed great anxiety that their relations with the government should be established on a more certain and permanent basis; that a permanent boundary should be fixed, so that they might have a country where they could be secure from encroachments of the white settlements, and where they could build up their villages and cultivate their corn fields without the constant fear of being driven further back, and compelled to abandon their homes, the fruits of their labor, and the graves of their kindred.

Jose Maria said, "That now there was a line below which the Indians were not allowed to go; but the white people came above it, marked trees, surveyed lands in their hunting grounds, and near their villages, and soon they would claim the lands; if the Indians went below they were threatened with death; that this was not just;" "that a party of white men had recently been in his country, surveying land and marking trees; that he followed them—told them that they must mark no more trees, and must leave the country; that he would not molest them, but they should not survey his lands." There can be no more prolific source of strife, jealousy and bloodshed on the frontier, than the want of a fixed boundary, above which the white men are not allowed to go.

These tribes are more fixed in their location, and more advanced in the arts and comforts of civilization, (slight as they are,) than any other of the Indians of Texas. They are making very creditable effort at raising Indian corn, beans, pumpkins and melons; their lodges are made of a frame or net-work of sticks, thatched with coarse grass, and are large, warm and comfortable. Their corn fields looked well, and were comparatively well cultivated.

They have no farming implements but hoes, most of which they had bought. They wanted some light ploughs and plough harness, and more hoes.

I took pains to encourage them in the cultivation of corn, &c., and went around with them and looked at their corn fields, promised them ploughs and harness, and more hoes this fall, and next spring would endeavor to provide them with some seed potatoes, (which they have not yet cultivated,) and other seeds.

There has been, and still is a great want of certain information as to the numbers and condition of the various tribes in Texas. While among these Indians I endeavored to ascertain their exact numbers, and with this view induced the chiefs to go among their people and count them. Having

no system of numbers, they enumerated only with their fingers, or by means of bundles of sticks. They brought me a bundle of sticks for each tribe.

The following is the enumeration furnished me as above, which I consider very accurate :

Names of tribes.	Total.	Warriors.
Tonkawas.....	141	90
Wichitas.....	114	
Keechies.....	38	
Comanches.....	161	161
Arapahoes.....	202	
Lipans.....	113	
Delawares.....	63	31
Sawyers.....	70	35
Total.....	902	317

Besides these, the Tonkawas are generally on the Brazos and its tributaries. They have no villages or permanent location, and I did not obtain their exact numbers, but they are estimated at about two hundred and fifty, making altogether of these tribes eleven hundred and fifty-two, and less than four hundred warriors.

It will be seen, upon examining the files of the department, that the tribes above enumerated, including the Wichitas, were in 1849 reported collectively as having eight hundred warriors, and numbering four thousand persons. The Wichitas were represented to me as a small tribe, numbering no hundred. They, together with about eighty warriors from the Comanches, Wacoes, and Keechies, (including about two-thirds of the latter tribe,) together with a small proportion of women and children, have, within the last two years, left Texas, and are now inhabiting the Wichita mountains beyond Red river. But deducting these, the above enumeration shows that former estimates have been very much too large, and I entertain no doubt that, upon actual enumeration, it will be found that there has been a proportionate over-estimate of the other Indians in Texas.

The Lipans are estimated at five hundred, and the Comanches are set down in round numbers at twenty thousand.

I regret that Judge Rollins and myself, while among them, did not ascertain the number of the Lipans.

Of the number of Comanches it is difficult, if not impossible, to get any accurate knowledge.

The southern bands, who are the only Comanches that remain in Texas continuously, are not numerous. They inhabit the country on the Llano, the Colorado and its tributaries, and hunt and trade as high up as the Brazos.

They have no villages, or fixed location, but are here to-day and away to-morrow; their chiefs are Catumsie, Buffalo Hump, and Yellow Wolf. They frequent the military posts and settlements on the frontier, and met Judge Rollins at the treaty on the Llano, in December last. Catumsie estimated the number who would meet Judge Rollins in October next at

about six hundred, including the Lipans. The northern Comanches come into Texas only in the winter, where they seek the shelter of her "upper cross timbers," and the greener pastures of her more genial climate. In the summer they hunt the buffalo on the great prairies of the north.

In the fall and winter two prominent chiefs of this great tribe, Pah-a-yu-ka and Shanico, with portions of their bands, frequent the Clear fork of the Brazos, and visit the Indian villages and trading-house lower down on that stream. They are represented as friendly and well-disposed.

From the best information I could get from the most intelligent of the various Indians we visited, including the concurring opinions of John Conner, Jim Shaw, and Bill Shaw, half-breed Delawares, who have had much intercourse with the Comanches, and who speak the language, Pah-a-yu-ka's band consists of about two hundred lodges and one thousand persons, and Shanico's of about three hundred persons. I could learn nothing from them of any other prominent chief or band of the northern Comanches.

Estimating the southern Comanches, or those who remain in Texas below the Brazos, at six hundred, (which is a full estimate,) and the northern Comanches, who come into the State under Pah-a-yu-ka and Shanico, at thirteen hundred, as above, the number thus accounted for is less than two thousand. Large numbers of this tribe, besides these, are doubtless constantly migrating, and about whom little is known: now wintering in the upper parts of Texas, then hunting buffalo on the great northern prairies, and again mixing with the Apaches and other Indians of New Mexico.

The fact, however, that these half-breeds and other Indians who have spent their lives among the various Indian tribes, who speak the Comanche language, and who have been among them as traders, interpreters, &c., have no *finite* knowledge of more than as above stated, is conclusive to my mind that twenty thousand is a great exaggeration of their number. It was agreed between Judge Rollins and myself, that we would hold a nearly simultaneous meeting with the Indians, in our respective divisions, about the middle of October next. I accordingly appointed a meeting with the Indians above enumerated on the Brazos, and the northern Comanches at some point near Comanche Peak, when I proposed to distribute the goods (or a portion of them) assigned to me, and make such other presents of farming implements as are above referred to. I made arrangements to communicate this intelligence to the northern Comanches, and was assured that I might expect to meet a considerable number of them at that time.

It is to be regretted that the sum appropriated for the Indians of Texas is small. A judicious distribution of presents, and more *especially of provisions*, and occasional good supply of beef and corn, will do more to curb their marauding and thieving propensities, and establish peace and security on the frontier than the most vigorous hostile measures.

No proper system or policy can be permanently established until a territory is assigned to the Indians, where they can be located and encouraged in the cultivation of the soil and the arts of civilized life, their roving and migratory habits broken up, and the laws regulating trade and intercourse with the Indians extended over them.

In the meantime, however, frequent intercourse with the agents of the government, and a liberal policy in satisfying the craving and irresistible demands of a hunger that sometimes borders on starvation, will check the

degradations on the frontier, and go far to give a security which otherwise it is impossible should exist.

I saw Colonel Rogers at Indianola, Texas, on the 11th July. Judge Rollins had, previously, and while I was out among the Indians, with my concurrence, notified him that there was no necessity of awaiting my return, in order that he might proceed to the Rio Grande according to his expressed desire, and he informed me that he was preparing to set out accordingly, and has undoubtedly reported to you to that effect.

There will not be, therefore, for the present, any further division of the territory or Indians among us, nor is it probably necessary that there should be, under the present arrangement: however I shall be in communication on the Brazos with the largest proportion of the Indians in Texas, and a proper proportion of the goods and fund to be distributed among the Indians of Texas should be assigned to me.

Respectfully submitted.

JESSE STEM,

Special Agent for the Indians in Texas.

To the Hon. L. LEA,

Commissioner of Indian Affairs, Washington city, D. C.

No. 80.

AUSTIN, TEXAS, November 1, 1851.

SIR: I expect to leave within a few days for the upper waters of the Brazos, to meet in council with the Caddoes, Wacoos, Au-dai-coes, Kerch's, Fa-wac-car-ros, Ionies, Fou-ka-was, and such of the northern Comanches as may be induced to come in. My Indian goods have been forwarded to Fort Graham, and my runners are out to communicate with the Comanches. As I advised you in my report of August last, several of the tribes on the Brazos are making very creditable efforts at raising corn, but are almost entirely destitute of the necessary implements for its cultivation; in my interview with them in June last, I promised them some ploughs, hoes, &c. I have accordingly provided myself with a few light ploughs and plough harness and corn hoes to distribute among these Indians.

The tribes on the Brazos, especially the Caddoes, Au-dai-coes and Ionies, are the most peaceable and well-disposed of the Indians of Texas, and for several years, by their uniform good conduct and readiness in delivering up stolen property brought among them, have maintained a good reputation among the citizens of this State. They desire and should receive encouragement and proper consideration from the government.

Since my former report a military post has been established on the Clear fork of the Brazos, about one hundred and fifty miles further up than Fort Graham. This post is beyond the several Indian villages on the Brazos, and unites the location and settlement of the adventurous citizens of this State on the hunting grounds, and perhaps upon the corn fields and in the villages of these Indians, or otherwise demand their removal beyond this line of posts; in either case it involves serious hardship upon the Indians. They have built up villages, cleared off corn fields, and established homes, which they are forced to yield up without compensation; already have several of these tribes been compelled to yield up homes thus established.

These things embarrass our intercourse with the Indians, and illustrate the pressing importance of placing Indian affairs in this State upon a different basis: providing them with a territory in which they will be free from the encroachments of the white population, and where they can be compelled to settle down to an agricultural life, and abandon their roving and marauding habits.

You have been notified before this of the death of my lamented colleague, J. H. Rollins, and have also been apprised doubtless that Colonel Rogers has gone into this district, and is now holding a council with the Indians on the San Saba.

Colonel Rogers has taken with him, I am informed, the Indian goods intended for Judge Rollin's district, as well as the goods intended for his own.

Should it be his intention to distribute the whole of these goods in Judge Rollin's district, it will, in my opinion, be furnishing an undue proportion to the Indians of that district, and will give rise to invidious comparisons on the part of the Indians of the Brazos.

I beg leave to repeat the suggestion contained in my former report, that my due proportion of the land apportioned to the Indians of Texas may be subject to my own requisitions, for the use of the Indians in my district, as my investigations convince me that I shall have under my charge on the Brazos my full equal proportion of the Indians of this State.

I am, very respectfully, your obedient servant,

JESSE STEM,

Special Indian Agent for Texas.

To Hon. LUKE LEE,

Commissioner of Indian Affairs, Washington city, D. C.

No. 91.

NEW YORK SUB-AGENCY,

Ellicottville, October 20, 1851.

SIR: As the person holding the office of sub-agent for the New York Indians, on the 30th day of September of this year, I submit to you the following statement respecting these Indians, as a brief annual report from this sub-agency.

This statement would have been fuller had those on whom I called for sub-reports, and whose position enabled them alone to furnish the desired information, complied with that request.

The Indians with whom I have been brought in contact as sub-agent, and to whom the United States pay annuities pursuant to treaty stipulations, consist of fragments or bands of the Senecas, Tuscaroras, Cayugas, Onondagas and Oneidas.

The population of these bands, as appears from the census which I have caused to be taken during the present year, is as follows:

Senecas at Allegany	819
Senecas at Cattaraugus	1218
Senecas at Tonawanda	642

Total Senecas in New York-----	2679
Tuscaroras-----	290
Cayugas-----	139
Onondagas at Onondaga-----	315
Onondagas at Allegany-----	88
Onondagas at Cattaraugus-----	25
Onondagas at Tuscarora-----	22
Onondagas at Tonewanda-----	7
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Total Onondagoes in New York-----	457
Oneidas at Oneida-----	171
Oneidas at Onondaga-----	37
Oneidas at Cattaraugus-----	5
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Total Oneidas in New York-----	213
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Total in New York sub-agency-----	3778
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The five above named tribes are remnants of the Six Nations; the Mohawk or sixth tribe having become nearly extinct in the State, but one person of Mohawk nationality having been met with by me.

The territory occupied by the above named Indians consists of the Allegany, Cattaraugus, Tenewanda, Tuscarora and Onondaga reservations, and lands owned in severalty by the Oneidas in the counties of Madison and Oneida.

The Allegany reservation, lying in Cattaraugus county, is owned and mainly occupied by the Senecas, a few Onondagas residing among them, chiefly the result of intermarriage between the two nations. The reservation is forty miles in length, about one mile in width, and contains a little more than 30,000 acres; a large part of this tract is mountainous, and a portion of it unfit for cultivation. The larger part, however, embracing the immediate valley of the Allegany river, is fertile and produces the common grains in abundance. But a small share of the reservation is under actual cultivation, and a part, including several saw mills belonging to the Senecas, is rented to the whites, to whom the Indians are yearly selling the valuable timber growing upon their land. The New York and Erie railroad passes through this reservation, having obtained from the Seneca council permission to do so for a stipulated sum. The principal post offices on and near the reservation are Allegany, Killbuck, Bucktooth and Cold Spring.

The Cattaraugus reservation, lying in the counties of Erie, Cattaraugus, and Chautauque, is owned and occupied by the Senecas, with whom a portion of the Onondagas, and all the Cayugas remaining in this State, also reside. The reservation lies on Cattaraugus creek, and extends from its mouth on Lake Erie some fourteen miles up the stream; it is two to five miles in width, and contains about 30,000 acres. The land is level, fertile, suitable for wheat or any grain produced by the State of New York, and is to a considerable extent under cultivation. A portion of this reservation is also rented to the whites, including one or two saw mills belonging to the Senecas. The New York and Erie railroad likewise traverses this reservation. The principal villages and post offices on and near the reservation are Versailles, Gowanda, La Grange and Chief Warrior.

The Tonewanda reservation is almost solely occupied by the Senecas,

and lies in the counties of Erie and Genesee. It embraces near 15,000 acres of exceedingly valuable land, is about twenty-five miles from the city of Buffalo and fifteen from Batavia. But a small portion of the reservation is under cultivation. The post offices through which the Tonewandas are chiefly accessible are Akron and Pembroke.

The Tuscarora reservation, lying three miles east of Lewistown and Niagara river, and nine miles from Niagara Falls, belongs to the Tuscaroras, and embraces a tract of about 7000 acres, including a section of land bought by them of the Holland company. This reservation is good land for agricultural uses, being level and much of it under fair cultivation. A considerable part of the land is rented by the individual Indians to the whites. The most convenient post offices in the neighborhood of the Tuscaroras are Lewistown and Suspension Bridge.

The Onondaga reservation, including the township of Onondaga, in the county of Onondaga, is owned by the Onondagas, and occupied by them and a portion of the Oneidas. The reservation is a fertile handsome tract, under imperfect cultivation, and includes about 7000 acres. It is situated eight miles from Syracuse, which being much frequented by these Indians is the post office through which they are most conveniently addressed.

The Oneida lands, lying in the counties of Madison and Oneida, are held by those Indians in severalty and may be conveyed, and are owned by them in fee, precisely as the lands of the whites. They reside about two miles from Oneida Castle, their most convenient post office; and their lands are fertile, handsome, and better cultivated than those of any other Indians in the State. I am unable to state what amount of land they own, but am of the opinion that it does not exceed 3000 acres.

It thus appears that the whole amount of land in possession of the above enumerated tribes, within the State of New York, is about 92,000 acres. This added to the territory enjoyed by that portion of the St. Regis Indians residing in this State, would probably make 100,000 acres as the whole tract of land belonging to the Indians in the State of New York. This land is generally of the finest quality, partially and indifferently cultivated, but rich in resources, and reserved by the Indians in the several treaties which they have formed as the choicest portion of their ancient entire domain.

In numbers, and in territorial and other resources, the Senecas stand at the head of the New York Indians. As I before remarked, they occupy the Allegany, Cattaraugus and Tonawanda reservations. By the treaty of 1848, between the Senecas and the Ogden company, the former ceded to the latter the three reservations which they now occupy, together with the Buffalo reservation, at present owned and occupied by the whites. These four reservations embraced a tract of about 100,000 acres. The consideration which the Ogden company was to pay for it was (I think) \$100,000 for the territory, and \$102,000 for the improvements, making \$202,000 for the entire Seneca interest in the lands so ceded.

Through the efforts of certain disinterested friends of the Senecas, whose names are too well known to need repetition here, and who derive no pleasure from the celebration of their names in type, this treaty was not carried into effect, but continued inoperative until, in 1842, another treaty was entered into between the same parties, by which the Allegany and Cattaraugus reservations were to continue the property of the Senecas, and the Ogden company were to retain, for a diminished consideration, only the

Buffalo and Tonewanda reservations. This latter treaty was carried into effect only so far as it pertained to the former of these reservations. By virtue of that treaty the improvements on the two reservations were to be valued and appraised by two persons selected, one by the United States, and the other by the Ogden company, who were to determine the amount to which each Seneca should be entitled, and file their award on its rendition, in the office of the Secretary of the War Department.

These appraisers having been thus appointed, and duly qualified, appeared upon the Tonewanda reservation for the purpose of settling the value of the above named improvements; but the Tonewandas, maintaining that the treaty, by virtue of which the Ogden company was about to become possessed of their lands, was not obligatory on them, never having been ratified or participated in by the authorities of their own band, and maintaining that their reservation could only be conveyed by its own consent, expressed through the channels which usage and the common law of the Indians had sanctioned, refused to permit the appraisers to act, and forcibly excluded them from their territory.

The treaty was consequently not carried into effect, so far as it pertained to a personal appraisal of the before mentioned improvements. The appraisers, in their attempt to comply with the requirements of the treaty, were only able to ascertain, by means of third persons, what the improvements belonging to the Tonewandas were worth in the aggregate, and to make and file their award pursuant to the information thus obtained. This was done, and the award was so rendered.

Yet the Ogden company never obtained possession of this reservation. Some time after, and when, had the award been duly made, and the terms of the treaty been complied with on the part of the Indians, the Ogden company would have been in possession of the land, the said company peaceably possessed themselves of a certain mill on said reservation, by purchasing a lease of the same given to a third person, which mill the company refused to surrender at the expiration of the term of the lease. A collision ensued. Those who occupied the premises under the Ogden company were expelled, and the agents of the company returned with legal process in the hands of the sheriff to enforce their title to the property.

On account of what then occurred on the part of the sheriff, and those engaged with him, certain of the Tonewandas brought an action against the conceived aggressors for personal damages. On the trial of this action, in presenting the case to the jury, the presiding judge declared that the stipulations of the treaty, touching the course to be pursued by the arbitrators or appraisers, had not been complied with in such a manner as to pass the title to the Ogden company. Whereas, the appraisers should have valued the improvements by a personal inspection, and if forcibly opposed, should have enforced their right by legal process; and whereas, instead of awarding an aggregate sum, their award should have embraced a specification of the value of improvements belonging to each Tonewanda, so that the agent, whose duty it should be to pay over the money, could ascertain the amount of each one's share; the court said that the Ogden company had failed to perfect their title, and had therefore been trespassers in going upon the reservation.

I am not aware that any formal litigation of the question has since then occurred; and perhaps I should remark that the facts, as above stated, are only such as I have gathered from individuals who possess and ought to be

acquainted with the facts and nature of the case referred to. The reservation is still in the hands of the Tonewandas, who feel an extreme and tender jealousy in respect to their territorial rights, and who seem determined to exhaust all legal means in vindicating their claim against the Ogden company.

This band of the Senecas seems, therefore, to be somewhat in a state of outlawry, the treaty, under which they have ostensibly ceded their lands, having been recognised by President Tyler, and possessing all the external sanctions known to a law of the United States. I believe that the general government has, in several instances, recognised the claim of the Ogden company, as indeed it could not otherwise than do, so long as regard is had to the regularities and forms of law. The friends of the Tonewandas are now generally persuaded that the law and the facts are on their side, and that whatever may have been obligatory under the treaty in the beginning, time and circumstances have given the Indians the advantage, and reinstated them in whatever rights they may formerly have lost or released.

The Senecas are, without doubt, steadily advancing in social and industrial improvements. Intemperance, licentiousness, extravagance, and idleness, are still incident to too many of them: yes, it is evident to all who reside in their vicinity, and can observe their progress, that they are more industrious, less licentious and vicious, than when they first established themselves on the reservations they now occupy.

There are still to be found white men who carry vice and crime into their midst, and who aid them in the invention of evils which their untaught and simple state would have disabled them from conceiving. These evil associations and vicious incursions on the part of the whites are measurably prevented and steadily diminished by the efforts which beneficent men are making, and by the vigilance of the statutes of this State, and of those to whom the execution of the law is entrusted. Judging from the past, and from the laws which preside over the moral and industrial condition of all men, there is hardly a doubt that the progress of civilization, and the liberty with which intelligence makes men free, will slowly, yet constantly, revolutionize the condition of the Seneca, and transform him into a closer resemblance to the white man, whose civilization at first corrupts, and afterwards reclaims him to a better life. The general voice and moral sense of the community render unpopular any attempt to thrive by the ignorance and fidelity of the red man; and every attempt to profit by his wayward appetites must be made in secret, and carried out in defiance of the indignation of that large majority who still and ever are the friends of the thoughtless and feeble Indian.

In regard to agricultural pursuits, I am positive that the present year has been attended with a marked advance. I was informed by a most competent observer, residing on the Cattaraugus reservation, that the band of Senecas belonging there had advanced during the present year thirty per cent. in industry and in general fidelity to their proper avocations. This seems a large percentage, but I am assured that the facts will warrant the statement. It is fair to suppose that the improvement in this particular, which has marked the inhabitants of Cattaraugus, would prove nearly equally true of those residing at Allegany and Tonewanda. I have myself been pleased and surprised, in crossing these tracts of Indian ground, to observe the traces of industry and thrift which mark the progress of so many of the Indians under my charge. As fair crops have been raised on

many Indian farms as could any where be seen, and the sufficient fences, excellent horses and oxen, wagons and tools, with the comfortable dwellings and decent out-houses, belonging to the more frugal and industrious part, have demonstrated that the Indian is capable of prosperity, and that if he fails it is only because he will not succeed.

In the mechanic arts the Indians are probably more backward than in other branches of common improvement. Too much thought, patient application, and minute care, are requisite in the construction of machinery, implements, and the various objects of mechanism, to make the task endurable, or invite him to any attempt at success.

What I have remarked of the progress of the Senecas, in physical and social improvement generally, may be said, though perhaps in a more limited degree, of all the Indians within the State. Each of the reservations is more or less supplied with churches and school houses, preachers and teachers. Among these are several missionaries, who labor faithfully for the christianization of the people; and, though the doctrines of ancient paganism are still in the ascendancy, though the rites and beliefs which have been transmitted from immemorial antiquity to the present generation still give tone and character to the moral and physical condition of the Indian, yet the attempt at reform is not lost upon them; and the restoring nature of christianity, enforced as it is by the education they obtain at the schools, is steadily introducing itself into their old creeds, and constantly, though slowly, dissolving the ice of heathenism and the veil of superstition that have darkened their savage though stately minds.

In regard to the number of Indians who have received education, I have been surprised at the proportion who could read and write. Within my acquaintance are many Indians, particularly among the Senecas, who are quite respectably educated, and who, in conversation and composition, evince a command of thoughts and facts that would not discredit a systematic English scholar. It had been my intention to present you a full and particular statement of the condition of the schools in this sub-agency, but I have unfortunately been unable to obtain the sub-reports on which I relied for that information.

As it regards the relations of the Indians to the government, and the manner in which they receive the regulations and dispensations of their great father, the President, I am able to say that I have found as good a degree of loyalty, and as evident tokens of satisfaction, on the part of these untutored people as have been observable among the more favored and responsible inhabitants of this Republic. They have sometimes slightly objected to what they consider the *ex parte* decisions made by the authorities at Washington, and have sometimes spoken and acted upon the presumption that the sub-agent was responsible for the regulations which he professes only to obey; yet in every instance, and usually with a good grace, they have at length acquiesced in the will of the department, and have received, with a ready hand and cheerful countenance, the annuities which I have offered them, according to the method of distribution established by Congress and the department.

As appears by my last quarterly reports transmitted to you, all the annuity money for the present year has been accepted by the Indians, except a portion of five per cent. on the \$75,000 paid by the Ogden company for Seneca lands, which was refused by the Tonevandas through fear that their

acceptance of it might operate as a waiver of their claim to their reservation, which is understood to be still in dispute.

This is the first year in which all the annuity goods payable to the New York Indians have been received and distributed by the sub-agent—a portion of the bands having heretofore obtained the goods and disposed of them according to the old manner of distribution. From what I have observed and heard of the condition and history of the Indians in regard to their annuities, both money and goods, I have no hesitation in declaring that, in my opinion, the only safe and proper manner of distributing the same, so as to guard and secure the rights of the individual Indians, is to disburse them *per capita* to the heads of families, in substantially the same manner as at present practised in this sub-agency.

I remain, sir, very respectfully, your obedient servant,

G. P. WASHBURN,

Late Sub-agent.

Hon. LUKE LEA,
Commissioner Indian Affairs.

No. 82.

CATTARAUGUS RESERVATION,
Upper Mission station, November 17, 1851.

Sir: The change in the sub-agency for the New York Indians having occurred just previous to the usual time of reporting the condition of the schools, and the new incumbent having thus far made no call for a report, permit me, at this late day, to make an informal statement of some of the more important facts.

Connected with this station, with the usual vacations, two week-day schools have been kept in operation during the year, attended by ninety-four pupils. Thirty-two of these (sixteen boys and sixteen girls) were connected with the school at New Town, a settlement composed almost wholly of the former pagan inhabitants of the Buffalo reservation, but who are now beginning to appreciate, in some degree, the value of education for their children. Of the sixty-two pupils in the other schools, thirty-seven were boys and twenty-five girls. Five of them commenced attendance but a few days before the close of the year. The foregoing numbers are the aggregate of the teachers' lists. The average attendance has been considerably less, though relatively greater, than in previous years, and a decided improvement has been manifested, especially in the New Town schools, in respect to the proficiency of the pupils.

The Rev. Mr. Bliss, of the lower station, having removed to another field of labor, and his successor being but just arrived, it may be proper for me to state, that two schools, attended by seventy pupils, have been kept up during the year in connexion with that station; and a third was in operation about four months, attended by some twenty scholars.

A home for destitute orphans was opened in April last, and ten children were taken in charge; the expenses were defrayed principally by the proceeds of the farm formerly occupied by the Society of Friends, which the new government had set apart for that purpose, and by an appropriation from the national fund. After six months, under different influences, it

was suffered to fall through, but not without having demonstrated the advantages of such an institution, and the practicability of keeping it in successful operation; neither did it fail to excite a deep interest in the minds of many of the Indians.

I have been requested by Mr. Pierce, the present teacher of the school established on the reservation by the State of New York, to make a brief statement of the condition and prospect of that school. During three quarters of the year the teachers employed were white men, and the school experienced the ordinary amount of prosperity. The whole number of pupils on the list was a little upwards of sixty. A little previous to the close of the third quarter, it became known that the legislature had neglected to make the usual appropriation for sustaining the school; but Mr. Pierce has undertaken to instruct it, in the confidence that the oversight will be remedied by the next legislature; and if not, that he will at least have the satisfaction of seeing his people benefited by his efforts. He has now in attendance sixteen boys and an equal number of girls, whom he regards as making very satisfactory progress in their studies.

From the foregoing brief statements it will be seen that two hundred and forty children, at least, have enjoyed, to a greater or less extent, the benefits of school instruction on this reservation during the year embraced in this report. It is painful to be obliged to add, that probably more than another hundred, of the proper age, have entirely neglected to avail themselves of their privileges.

Very respectfully, your obedient servant,

ASHER WRIGHT,
Superintendent, &c.

Hon. LUKE LEA,

Commissioner of Indian Affairs, Washington, D. C.

APPENDIX

TO THE

REPORT OF THE COMMISSIONER OF INDIAN AFFAIRS.

No. 1.—Statement exhibiting the amount of

Names of tribes on whose account the stock is held.	Names of the States which issued the bonds.	Rate per cent.	Amount of each lot of bonds.	Aggregate amount of the bonds for each tribe.	Amount of the annual interest on each.
Cherokees.....	Kentucky.....	5	\$94,000 00	.....	\$4,700 00
	Pennossec.....	5	250,000 00	.....	12,050 00
	Virginia.....	6	270,000 00	.....	16,020 00
	Maryland.....	6	761 39	.....	45 68
	Michigan.....	6	64,000 00	.....	3,840 00
	Maryland.....	5	41,128 00	.....	2,056 90
	U. S. loan, 1847.	6	5,800 00	.....	348 00
	Missouri.....	5½	10,000 00	.....	550 00
				\$735,699 39	
Chippewas, Ottawas, and Pottawatomies. (Mills)	Maryland.....	6	130,850 43	.....	7,851 02
	U. S. loan, 1847.	6	21,791 82	.....	1,307 51
	U. S. loan, 1842.	6	30,921 93	.....	2,395 31
	U. S. loan, 1843.	5	157 60	.....	7 88
				192,721 79	
Chippewas, Ottawas, and Pottawatomies. (Education.)	Indiana.....	5	68,000 00	.....	3,400 00
	U. S. loan, 1847.	6	6,525 54	.....	391 53
	U. S. loan, 1842.	6	5,556 71	.....	333 40
				80,082 25	
Incompetent Chickasaws.	Indiana.....	5	.....	2,000 00	.....
Chickasaw orphans.....	Arkansas.....	5	3,000 00	.....	150 00
	U. S. loan.....	6	770 03	.....	46 20
	U. S. loan, 1842.	6	433 68	.....	26 02
				4,203 71	
Shawnees.....	Maryland.....	6	29,341 50	.....	1,760 49
	Kentucky.....	5	1,000 80	.....	50 00
	U. S. loan, 1842.	6	1,734 71	.....	104 87
				32,077 01	
Senecas.....	Kentucky.....	5	.....	5,000 00	.....
Senecas and Shawnees...	Kentucky.....	5½	6,000 00	.....	300 00
	Missouri.....	5½	7,000 00	.....	385 00
	U. S. loan, 1843.	5	3,641 01	.....	182 05
				16,641 04	
Kansas schools.....	Missouri.....	5½	10,600 00	.....	990 00
	U. S. loan, 1847.	6	1,540 09	.....	92 40
	U. S. loan, 1843.	5	2,700 00	.....	185 00
	U. S. loan, 1842.	6	4,444 66	.....	266 67
				24,684 72	
Menomonees.....	Kentucky.....	5	77,000 00	.....	3,850 00
	U. S. loan, 1843.	5	8,117 28	.....	155 87
	U. S. loan, 1842.	6	20,114 88	.....	1,566 87
	U. S. loan, 1847.	6	21,521 10	.....	1,279 26
				127,575 26	
Chippewas and Ottawas..	U. S. loan, 1843.	5	6,348 27	.....	318 41
	U. S. loan, 1842.	6	4,528 37	.....	273 53
	U. S. loan, 1847.	6	2,274 47	.....	136 47
				18,231 71	

Payments for Indian account in various stocks.

Aggregate amount of annual interest for each tribe.	Amount of the cost of each lot of bonds.	Aggregate cost of the bonds for each tribe.	When the interest is payable.	Where the interest is payable.	Where the interest is deposited until wanted.	Treaties, on reference to which it may be seen for what objects interest is applied.
.....	\$94,000 00	.....	Semi-an'y.	New York.	Treas. U.S.	Treaty Dec., 1835
.....	250,000 00	.....	do.	do.	do.	do.
.....	300,000 00	.....	do.	do.	do.	do.
.....	880 00	.....	Quarterly.	Baltimore.	do.	do.
.....	69,120 00	.....	Semi-an'y.	New York.	do.	do.
.....	42,490 00	.....	Quarterly.	Baltimore.	do.	Treaty Feb. 27, '19
.....	6,742 50	.....	Semi-an'y.	Wash'ton.	do.	do.
.....	10,000 00	.....	do.	New York.	do.	do.
\$40,240 58		\$773,322 50				
.....	150,000 00	.....	Quarterly.	Baltimore.	do.	do.
.....	25,707 10	.....	Semi-an'y.	Wash'ton.	do.	Treaty Sept., 1838
.....	44,204 40	.....	do.	do.	do.	do.
.....	156 00	.....	do.	do.	do.	do.
11,561 72		220,067 50				
.....	72,264 09	.....	do.	New York.	do.	do.
.....	7,697 97	.....	do.	Wash'ton.	do.	do.
.....	6,016 05	.....	do.	do.	do.	do.
4,121 93		85,978 11				
100 00		2,000 00	do.	New York.	do.	Treaty May, 1834
.....	3,000 00	.....	do.	do.	do.	do.
.....	908 38	.....	do.	Wash'ton.	do.	do.
.....	508 01	.....	do.	do.	do.	do.
222 22		4,416 39				
.....	33,912 40	.....	Quarterly.	Baltimore.	do.	Treaty Aug., 1831
.....	980 00	.....	Semi-an'y.	New York.	do.	do.
.....	2,032 03	.....	do.	Wash'ton.	do.	do.
1,914 57		36,924 43				
250 00		4,900 00	do.	New York.	do.	do.
.....	5,880 00	.....	do.	do.	do.	Treaty Feb., 1831
.....	7,121 87	.....	do.	do.	do.	do.
.....	3,713 87	.....	do.	do.	do.	do.
567 05		16,715 74				
.....	18,000 00	.....	do.	do.	do.	Treaty June, 1825
.....	1,816 75	.....	do.	Wash'ton.	do.	do.
.....	2,727 27	.....	do.	do.	do.	do.
.....	5,026 30	.....	do.	do.	do.	do.
1,484 07		27,570 32				
.....	75,460 00	.....	do.	New York.	do.	Treaty Sept., 1836
.....	3,179 72	.....	do.	Wash'ton.	do.	do.
.....	29,604 48	.....	do.	do.	do.	do.
.....	22,601 16	.....	do.	do.	do.	do.
6,852 02		130,925 36				
.....	6,426 46	.....	do.	do.	do.	Treaty Mar., 1836
.....	4,997 12	.....	do.	do.	do.	do.
.....	2,635 57	.....	do.	do.	do.	do.
728 41		14,059 15				

No. 1.—Statement exhibiting the amount of investments

Names of tribes on whose account the stock is held.	Names of the States which issued the bonds.	Rate per cent.	Amount of each lot of bonds.	Aggregate amount of the bonds for each tribe.	Amount of the annual interest on each.
Creek orphans.....	Virginia.....	6	\$73,800 00	.....	\$4,428 00
	Missouri.....	5½	28,000 00	.....	1,510 00
	U. S. loan, 1843	5	13,700 00	.....	685 00
	U. S. loan, 1842	6	49,900 84	.....	2,994 05
				\$165,400 84	
Choctaws, under convention with Chickasaws.	Virginia.....	6	.....	450,000 00	.....
Delawares. (Education).	U. S. loan, 1842	6	.....	7,806 28	.....
Osages. (Education)....	U. S. loan, 1843	5	7,400 00	.....	370 00
	U. S. loan, 1842	6	24,679 56	.....	1,480 00
				32,079 56	
Stockbridge and Munsees	U. S. loan, 1842	6	.....	5,204 16	.....
Choctaw education.....	U. S. loan, 1842	6	60,893 62	.....	3,653 61
	U. S. loan, 1843	5	1,545 44	.....	77 27
	U. S. loan, 1847	6	18,026 97	.....	1,081 61
				80,466 03	
Chippewas of Swan Creek	U. S. loan, 1843	5	.....	5,869 43	.....
Ottawas of Blanchard's Forks.	U. S. loan, 1843	5	.....	7,850 41	.....
Ottawas of Rochedo.....	U. S. loan, 1843	5	.....	1,650 43	.....
				1,990,222 12	

for Indian account in various stocks—Continued.

Aggregate amount of annual interest for each tribe.	Amount of the cost of each lot of bonds.	Aggregate cost of the bonds for each tribe.	When the interest is payable.	Where the interest is payable.	Where the interest is deposited until wanted.	Treaties, on reference to which it may be seen for what objects interest is applied.
.....	\$82,000 00	.....	Semi-an'ly.	New York.	Treas. U. S.	Treaty June, 1832
.....	23,487 48	.....	do	do	do	do
.....	13,840 00	.....	do	Wash'ton.	do	do
.....	56,078 03	.....	do	do	do	do
\$2,647 05		\$180,405 51				
27,000 00		500,000 00	do	New York.	do	Treaty Jan. 17, '37
438 38		9,144 27	do	Wash'ton.	do	Treaty 1838
.....	7,474 74	.....	do	do	do	Treaty 1825
.....	27,656 76	.....	do	do	do	do
1,850 00		35,181 50				
12 25		6,036 16	do	do	do	Treaty May, 1840
.....	68,236 73	.....	do	do	do	Treaty Sept., 1830
.....	1,530 00	.....	do	do	do	do
.....	19,979 75	.....	do	do	do	do
4,812 49		89,746 48				
204 47		5,986 82	do	do	do	Treaty May, 1834
302 52		8,007 42	do	do	do	Treaty Aug., 1831
82 52		1,683 44	do	do	do	do
113,204 25		2,152,991 10				

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, November 27, 1851.

Statement exhibiting the annual interest appropriated by Congress to pay the following tribes of Indians, in lieu of investing the sum of money provided by treaties and laws in stocks.

Names of tribes.	Amount provided by treaty for investment.	Rate of per cent.	Amount of interest annually appropriated.	Authority by which it is made.
Delawares.....	\$46,080	5	\$2,304	Treaty, September 29, 1829.
Chippewas and Ottowas.....	200,000	6	12,000	Resolution of the Senate, May 27, 1836.
Sioux, Mississippi.....	300,000	5	15,000	Treaty, September 29, 1837.
Sacs and Foxes, Missouri...	175,400	5	8,770	Treaty, October 21, 1837.
Winnebagoes.....	1,185,000	5	59,250	Treaties, November 1, 1837, and October 13, 1846.
Sacs and Foxes, Mississippi.	1,000,000	5	50,000	Treaties, October 21, 1837, and October 11, 1842.
Iowas.....	157,500	5	7,875	Resolution of the Senate, January 19, 1838.
Osages.....	69,120	5	3,456	Resolution of the Senate, January 19, 1838.
Creeks.....	350,000	5	17,500	Treaty, November 23, 1838.
Senecas, New York.....	75,000	5	3,750	Treaty, May 20, 1842, and law of Congress, June 27, 1846.
Kansas.....	200,000	5	10,000	Treaty, January 14, 1846.
Pottawatomies.....	643,000	5	32,150	Treaty, June 5, 1846.
Choctaws.....	872,000	5	43,600	Treaty, September 27, 1830, and laws of 1842 and 1845.
	5,273,100		265,655	

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, November 27, 1851

Estimate of funds required for the fiscal year commencing July 1, 1852, and terminating June 30, 1853, to wit: office expenses, compensation to the Commissioner of Indian Affairs and to the clerks and messengers in the office of the Commissioner, and for contingencies of the office.

Laws.	Volume.	Page.	Section.	Capacity.	Acts making provision.	Rate of salary.	Total.
Statutes at Large	4	564	1 & 2	Commissioner	July 9, 1832	\$3,000 00	\$300 00
Do.....	3	446	3		April 20, 1818		
Pamphlet copy, 1846 and 1847.....		204	4	Chief clerk.....	March 3, 1847	2,000 00	2,000 00
Pamphlet copy, last session		587	9		Feb. 27, 1851		
Statutes at Large	5	27	1	Three clerks.....	May 9, 1836	1,600 00	4,800 00
Pamphlet copy, last session		587	9		Feb. 27, 1851		
Statutes at Large	3	446	3		April 20, 1818		
Do.....	5	27	1	Six clerks.....	May 9, 1836	1,400 00	8,400 00
Pamphlet copy, 1847 and 1848.....		288	1		Aug. 12, 1848		
Pamphlet copy, last session		587	9		Feb. 27, 1851		
Statutes at Large	3	446	3		April 20, 1818		
Do.....	5	27	1	Four clerks	May 9, 1836	1,200 00	4,800 00
Pamphlet copy, 1846 and 1847.....		204	4		March 3, 1847		
Pamphlet copy, 1847 and 1848.....		288	1		Aug. 12, 1848		
Pamphlet copy, last session		587	9		Feb. 27, 1851		
Statutes at Large	5	27	1	Two clerks	May 9, 1836	1,000 00	2,000 00
Do.....	5	26	1	Messenger	May 9, 1836	700 00	700 00
Do.....	5	27	1	do.....	May 9, 1836	500 00	500 00
Contingent expenses of the office, viz:							
Blank books, binding and stationery						1,000 00	2,000 00
Labor						200 00	
Miscellaneous items						800 00	
Total.....							28,200 00

*Estimate of funds required for the fiscal year commencing July 1, 1852,
department and the payment of annuities and other objects*

CURRENT EXPENSES OF

Laws.	Vol.	Page.	Sec.	Objects.
Statutes at Large				Pay of sup'ts of Indian affairs, viz:
Pamphlet copy last session	586	2		Three for the tribes east of the Rocky moun- tains, &c.....
Pamphlet copy 1849-'50	437	2		One for the tribes in the Territory of Oregon.
				Pay of Indian agents, viz:
Pamphlet copy 1849-'50	437	4		Three for the tribes in Oregon
Pamphlet copy last session	586	4		Eleven for the tribes east of the Rocky moun- tains, &c.....
Do.....do.....				Six for the tribes east of the Rocky moun- tains, &c.....
				Pay of interpreters:
Statutes at Large	4	737	9	Nine for the tribes in Oregon..... }
Pamphlet copy last session	587	8		Forty for the tribes elsewhere..... }
Pamphlet copy 1845-'46	21	1		Pay of clerk to superintendent at St. Louis, Missouri.....
Do.....do.....	21	1		Pay of clerk to superintendent at Van Buren, Arkansas
Statutes at Large	4	738	15	Presents to Indians
Do.....	4	738	16	Provisions for Indians.
Do.....				Buildings at agencies and repairs thereof
Do.....				Contingencies, Indian department

No. 4.

and ending June 30, 1853, to meet the current expenses of the Indian provided for by treaties with various Indian tribes.

INDIAN DEPARTMENT.

Acts making provision.	Rate of salary.	Amount.	Total.	
Feb. 27, 1851	\$2,000 00	\$6,000 00		
June 5, 1850	2,500 00	2,500 00		
			\$8,500 00	
June 5, 1850	1,500 00	4,500 00		
Feb. 27, 1851	1,500 00	16,500 00		
Feb. 27, 1851	1,000 00	6,000 00		
			27,700 00	
June 30, 1851	{ 500 00	4,500 00		
Feb. 27, 1851		16,000 00		
Feb. 27, 1851		400 00		
			20,500 00	
June 27, 1846	1,200 00	1,000 00	1,200 00	
June 27, 1846	1,000 00	1,000 00	1,000 00	
June 30, 1834		5,000 00	5,000 00	
June 30, 1834		11,800 00	11,800 00	
		15,000 00	15,000 00	A.
		26,500 00	26,500 00	
			127,200 00	

No. 4.—*Estimate of funds required to meet the current expenses of the*

ANNUITIES, &c., TO

Laws.	Vol.	Page.	Sec.	Names of tribes and objects.
CHRISTIAN INDIANS.				
Statutes at Large	4	58 & 183	7 & last.	Permanent annuity
CHIPPEWAS OF SAGANAW.				
Statutes at Large	7	51	4	Permanent annuity
Do.....	7	106	2	.....do.....
Do.....	7	204	4	.....do.....
Do.....	7	205	8	Permanent provision for the support of black-
Do.....	7	530	7	smiths, and for farming utensils and cattle and
Do.....	3	608	1	the employment of persons to aid them in agri-
				culture.....
Do.....	7	291	6	Education during the pleasure of Congress..
CHIPPEWAS, MENOMONEES, WINNEBAGOES, AND NEW YORK INDIANS.				
Statutes at Large	7	304	5	Education during the pleasure of Congress.....
CHOCTAWS.				
Statutes at Large	7	90	2	Permanent annuity
Do.....	7	213	13	.....do.....
Do.....	7	235	2	Permanent annuity for education
Do.....	7	338	21	Life annuity to one Wayne warrior.....
Do.....	7	212	6	Permanent provision for blacksmith
Do.....	7	236	9	Permanent provision for iron and steel, &c.....
Do.....	7	335	14	For interest on the amounts awarded Choctaw
				claimants under the 14th article of the treaty of
				Dancing Rabbitt creek, of September 27, 1830,
Do.....	5	511	3	for lands on which they resided, but which it is
				impossible to give them, and in lieu of the scrip
				that has been awarded under the act of August
Do.....	5	777	1	23, 1842, not deliverable east by the 3d section
				of the said law, per act of March 3, 1845
CHICKASAWS.				
Statutes at Large.....	1	619	1	Permanent annuity
CHIPPEWAS OF LAKE SUPERIOR AND THE MISSISSIPPI.				
Statutes at Large	7	536	2	Sixteenth of twenty instalments in money.....
Do.....	7	536	2	Sixteenth of twenty instalments in goods
Do.....	7	536	2	Sixteenth of twenty instalments for the establish-
				ment of three smith shops, supporting three
Do.....	7	536	2	smiths, and furnishing iron and steel
Do.....	7	536	2	Sixteenth of twenty instalments for the support of
				farmers, purchase of implements, grain or seed
Do.....	7	536	2	and to carry on their agricultural pursuits.....
Do.....	7	536	2	Sixteenth of twenty instalments for the purchase
				of provisions
Do.....	7	592	4	Eleventh of twenty-five instalments for the purchase
Do.....	7	592	4	of tobacco
				Eleventh of twenty-five instalments in money
				Eleventh of twenty-five instalments in goods.....

Indian department for the year ending June 30, 1853—Continued.

INDIAN TRIBES, &c.

Acts making provision.	Amount.	Total.	Remarks.
Amount brought forward.....		\$127,200	
Act May 26, 1824, and May 20, 1836.....		400	
Per 4th article treaty Aug. 3, 1795..	\$1,000		
2d article treaty Nov. 17, 1807..	800		
4th article treaty Sept. 24, 1819..	1,000		
8th article treaty Sept. 24, 1819..	{ 2,000		
7th article treaty Jan. 14, 1837..			
6th article treaty Aug. 5, 1826..	1,000		
		5,800	
Per 5th article treaty Aug. 11, 1827.....		1,500	
Per 2d article treaty Nov. 16, 1805..	2,000		
13th art. treaty Oct. 18, 1820..	600		Support of light-horsemen.
2d article treaty Jan. 20, 1825..	6,000		
21st art. treaty Sept. 27, 1830..	25		
1st article treaty Oct. 28, 1820..	600		Pay fixed by law, June 30, 1824
2d article treaty Jan. 20, 1825..	600		Estimated by the agent.
	43,600		
		54,145	B.
Per act of February 25, 1799.....		3,000	
Per 2d article treaty July 29, 1837...	9,500		
2d article treaty July 29, 1837...	19,000		
2d article treaty July 29, 1837...	3,000		Fixed by treaty.
2d article treaty July 29, 1837...	1,000		Fixed by treaty.
2d article treaty July 29, 1837...	2,000		
2d article treaty July 29, 1837...	500		
4th article treaty Oct. 4, 1842...	12,500		
4th article treaty Oct. 4, 1842...	10,500		
Amount carried forward....	53,000	192,045	

No. 4.—*Estimate of funds required to meet the current expenses of the*

ANNUITIES, &c.

Laws.	Vol.	Page.	Sec.	Names of tribes and objects.
Statutes at Large	7	592	4	Eleventh of twenty-five instalments for the support of two smith shops, including the pay of two smiths and assistants and furnishing iron and steel
Do.....	7	592	4	Eleventh of twenty-five instalments for the pay of two farmers
Do.....	7	592	4	Eleventh of twenty-five instalments for the pay of two carpenters.....
Do.....	7	592	4	Eleventh of twenty-five instalments for the support of schools
Do.....	7	592	4	Eleventh of twenty-five instalments for the purchase of provisions and tobacco.....
Pamp. copy 1847-'48.....	102	3		Sixth of forty-six instalments to be paid to the Chippewas of Mississippi.....
				CREEKS.
Statutes at Large	7	36	4	Permanent annuity
Do.....	7	69	2	.....do.
Do.....	7	287	4	.....do.
Do.....	7	287	8	Permanent provision for blacksmith and assistant..
Do.....	7	287	8	Permanent provision for iron, steel, &c., for shops.
Do.....	7	368	13	Sixteenth of twenty instalments for two blacksmiths and assistants
Do.....	7	368	13	Sixteenth of twenty instalments for the purchase of iron, steel, &c., for shops.....
Do.....	7	368	13	Permanent provision for the pay of a wheelwright.
Do.....	7	368	13	Twenty-second of thirty-three instalments for }
Pamp. copy 1845-'46.....	5	6		education
Do.....	7	575	3	Interest, in lieu of investment, on \$350,000, at 5 per cent.
Do.....	7	5	6	Ninth of twenty instalments for education
Statutes at Large	7	419	5	Blacksmith and assistant during the pleasure of the President
Do.....	7	419	5	Iron, steel and coal during the pleasure of the President
Do.....	7	419	5	Wagon maker during the pleasure of the President.
Do.....	7	287	8	Agricultural implements during the pleasure of the President
Do.....	7	419	5	Education during the pleasure of the President...
				DELAWARES.
Statutes at Large.....	7	51	4	Permanent annuity
Do.....	7	114	3	.....do.
Do.....	7	188	5	.....do.
Do.....	7	327	3	.....do.
(Article never printed. Original in State Department).....	d.	Original in	c	Life annuity to chiefs.....
Statutes at Large	7	399	1	.....do.
Do.....	7	75	3	Permanent provision for the purchase of salt.....
Do.....	7	188	6	Permanent provision for blacksmith and assistant.
Do.....	7	188	6	Permanent provision for iron, steel, &c.....
				Interest on \$46,080, at 5 per centum, being the value of 36 sections of land set apart by treaty of 1829 for education

Indian department for the year ending June 30, 1853—Continued.

—Continued.

Acts making provision.	Amount.	Total.	Remarks.
Amount brought forward....	\$58,000	\$192,045	
Per 4th article treaty Oct. 4, 1842....	2,000	.....	Fixed by treaty.
4th article treaty Oct. 4, 1842....	1,000	.....	Fixed by treaty.
4th article treaty Oct. 4, 1842....	1,200	.....	Fixed by treaty.
4th article treaty Oct. 4, 1842....	2,000		
4th article treaty Oct. 4, 1842....	2,000		
3d article treaty Aug. 2, 1847....	1,000	67,200	
Per 4th article treaty Aug. 7, 1790..	1,500		
2d article treaty June 16, 1802..	3,000		
4th article treaty Jan. 24, 1826..	20,000		
8th article treaty Jan. 24, 1826..	840	.....	Pay fixed by law, June 30, 1834
8th article treaty Jan. 24, 1826..	270	.....	Estimated by the agent.
13th art. treaty Mar. 24, 1832..	1,680	.....	Pay fixed by law, June 30, 1834.
13th art. treaty Mar. 24, 1832..	540	.....	Estimated by the agent
8th article treaty Jan. 24, 1836..	600	.....	Pay fixed by law, June 30, 1834.
12th art. treaty Mar. 24, 1832..	3,000		
4th article treaty Jan. 4, 1845..			
3d article treaty Nov. 23, 1838..	17,500		
4th article treaty Jan. 4, 1845..	3,000		
5th article treaty Feb. 14, 1833..	840	.....	Pay fixed by law, June 20, 1834.
5th article treaty Feb. 14, 1833..	270	.....	Estimated by the agent.
5th article treaty Feb. 14, 1833..	600	.....	Pay fixed by law, June 30, 1834.
8th article treaty Jan. 24, 1826..	2,000		
5th article treaty Feb. 14, 1833..	1,000	56,640	
Per 4th article treaty Aug. 3, 1795..	1,000		
3d article treaty Sept. 30, 1809..	500		
5th article treaty Oct. 3, 1818..	4,000		
suppl. art. treaty Sept. 24, 1829..	1,000		
private art. to suppl. treaty Sept. 24, 1829, to treaty Oct. 3, 1818..	200		
suppl. 2d art. treaty Oct. 26, 1832..	200		
3d article treaty June 7, 1803..	100	.....	Estimated by the department.
6th article treaty Oct. 3, 1818..	720	.....	Pay fixed by law, June 30, 1834.
6th article treaty Oct. 3, 1818..	220	.....	Estimated by the agent.
resolution Senate Jan. 19, 1838..	2,304	10,244	
Amount carried forward....		826,129	

No. 4.—*Estimate of funds required to meet the current expenses of the*

ANNUITIES, &c.

Laws.	Vol.	Page.	Sec.	Names of tribes and objects.
FLORIDA INDIANS, OR SEMINOLES.				
Statutes at Large	7	225	6	Thirtieth of thirty instalments for blacksmith
Do.....	7	369	4	establishment
Pamp. copy 1845-'46.		5	6	Ninth of fifteen instalments in goods.....
Do.....		5	6	Ninth of fifteen instalments in money.....
IOWAS.				
Statutes at Large	7	568	2	Interest, in lieu of investment, on \$157,500, at 5 per cent.
KICKAPOOS.				
Statutes at Large.....	7	392	4	Nineteenth of nineteen instalments as annuity....
KANZAS.				
Pamp. copy 1845-'46.		22	2	Interest, in lieu of investment, on \$200,000, at 5 per cent.
MIAMIES.				
Statutes at Large	7	301	4	Permanent annuity.....
Do.....	7	191	5	Permanent provision for blacksmith and assistant.
Do.....	7	191	5	Permanent provision for iron, steel, &c.....
Do.....	7	301	4	Permanent provision for the purchase of 1,000 pounds tobacco, 2,000 pounds iron, and 1,000 pounds steel
Do.....	7	191	5	Permanent provision for the pay of a miller, in {
Do.....	7	459	5	lien of a gunsmith
Do.....	7	191	5	Permanent provision for the purchase of 160 bushels salt
Do.....	7	301	6	Education and support of the poor during the pleasure of Congress
Do.....	7	583	2	Twelfth of twenty instalments in money
Do.....	7	583	6	Permanent provision for payment in lieu of laborers.
Do.....	7	191	5	Permanent provision for agricultural assistance...
PEEL RIVER MIAMIES.				
Statutes at Large	7	51	4	Permanent annuity
Do.....	7	91	3	.....do
Do.....	7	114	3	{do
Do.....	7	116	....	{ .....do
MENOMONEES.				
Statutes at Large	7	507	2	Seventeenth of twenty instalments as annuity
Do.....	7	507	2	Seventeenth of twenty instalments for two blacksmiths and assistants.....
Do.....	7	507	2	Seventeenth of twenty instalments for iron, steel, &c.....
Do.....	7	507	2	Seventeenth of twenty instalments for provisions.
Do.....	7	507	2	Seventeenth of twenty instalments for 2,000 lbs. tobacco
Do.....	7	507	2	Seventeenth of twenty instalments for farming utensils and cattle
Do.....	7	507	2	Seventeenth of twenty instalments for thirty barrels of salt.....

Indian department for the year ending June 30, 1853—Continued.

—Continued.

Acts making provision.	Amount.	Total.	Remarks.
Amount brought forward.....		\$326, 129	
Per 6th article treaty Sept. 18, 1823..	\$1,000	.....	Fixed by treaty.
4th article treaty May 9, 1832..			
6th article treaty Jan. 4, 1845..			
4th article treaty Jan. 4, 1845..			
		6,000	
Per 2d article treaty Oct. 19, 1838.....		7,875	
Per 4th article treaty Oct. 24, 1832.....		5,000	
Per 2d article treaty Jan. 14, 1846.....		10,000	
Per 4th article treaty Oct. 23, 1826..	25,000		
5th article treaty Oct. 6, 1818..	720	.....	Pay fixed by law, June 30, 1834.
5th article treaty Oct. 6, 1818..	220	.....	Estimated by the department.
4th article treaty Oct. 23, 1826..	770	.....	Estimated by the department.
5th article treaty Oct. 6, 1818..	600	.....	Pay fixed by law, June 30, 1834
5th article treaty Oct. 24, 1834..			
5th article treaty Oct. 6, 1818..	320	.....	Estimated by the agent.
6th article treaty Oct. 23, 1826..	2,000		
2d article treaty Nov. 28, 1840..	12,500		
6th article treaty Nov. 28, 1840..	250		
5th article treaty Oct. 6, 1818..	200		
		42,580	
Per 4th article treaty Aug. 3, 1795..	500		
5d article treaty Aug. 21, 1805..	250		
3d and separate article treaty September 30, 1809.....	350	.....
		1,100	
Per 2d article treaty Sept. 3, 1836 ...	20,000		
2d article treaty Sept. 3, 1836 ...	1,440	.....	Pay fixed by law, June 30, 1834.
2d article treaty Sept. 3, 1836 ...	440	.....	Estimated by the department.
2d article treaty Sept. 3, 1836 ...	3,000	.....
2d article treaty Sept. 3, 1836 ...	400	.....	Estimated by the department.
2d article treaty Sept. 3, 1836 ...	500		Fixed by treaty.
2d article treaty Sept. 3, 1836 ...	150	.....	Estimated by the department.
		25,930	C.
Amount carried forward.....		424,614	

No. 4—*Estimate of funds required to meet the current expenses of the*

ANNUITIES, &c.

Laws.	Vol.	Page.	Sec.	Names of tribes and objects.
OMAHAS.				
Statutes at Large	7	329	4	Blacksmith and assistant, during pleasure of the President.....
Do.....	7	329	4	Iron, steel, &c., during pleasure of the President.....
Do.....	7	329	4	Agricultural implements, during pleasure of the President.....
OTTOES AND MISSOURIAS.				
Statutes at Large	7	430	4	Education, during pleasure of the President
Do.....	7	430	5	Farmer, during pleasure of the President.....
Do.....	7	329	4	Blacksmith and assistant, during pleasure of the President
Do.....	7	329	4	Iron, steel, &c., during pleasure of the President.....
OTTOWAS.				
Statutes at Large	7	51	4	Permanent annuity.....
Do.....	7	106	2	.....do
Do.....	7	179	4	.....do
Do.....	7	220	4	.....do
OTTOWAS AND CHIPPEWAS.				
Statutes at Large	7	492	4	Eighteenth of twenty instalments in money
Do.....	7	497	4	Interest on \$200,000, at 6 per cent., to be paid as annuity
Do.....	7	492	4	Education for twenty years, and during pleasure of Congress.....
Do.....	7	492	4	Missions for twenty years, and during pleasure of Congress.....
Do.....	7	492	4	Vaccine matter, medicines and pay of physicians, so long as the Indians remain on their reservations.....
Do.....	7	492	4	Eighteenth of twenty instalments in provisions ...
Do.....	7	492	4	Eighteenth of twenty instalments for the purchase of 6,500 pounds of tobacco
Do.....	7	492	4	Eighteenth of twenty instalments for the purchase of 100 barrels of salt
Do.....	7	492	4	Eighteenth of twenty instalments for the purchase of 500 fish barrels
Do.....	7	493	7	Three blacksmiths and assistants for twenty years, and during the pleasure of Congress
Do.....	7	493	7	Iron, steel, &c., for shops, for twenty years, and during the pleasure of Congress
Do.....	7	493	7	Gunsmith at Mackinac for twenty years, and during the pleasure of Congress
Do.....	7	493	7	Iron, steel, &c., for shop, for twenty years, and during the pleasure of Congress.....
Do.....	7	493	7	Two farmers and assistants, during the pleasure of the President
Do.....	7	493	7	Two mechanics, during pleasure of the President.....
OSAGES.				
Statutes at Large	7	576	2	Fifteenth of twenty instalments as annuity.....
Do.....	7	576	2	Fifteenth of twenty instalments for two smiths' establishments

Indian department for the year ending June 30, 1853—Continued.

—Continued.

Acts making provision.	Amount.	Total.	Remarks.
Amount brought forward.....		\$424,614	
Per 4th article treaty July 15, 1830...	\$720	.....	Pay fixed by law June 30, 1834.
4th article treaty July 15, 1830...	220	.....	Estimated by the department.
4th article treaty July 15, 1830...	500		
		1,140	
Per 4th article treaty Sept. 21, 1833..	500		
5th article treaty Sept. 21, 1833..	600	.....	Pay fixed by law June 30, 1834.
4th article treaty July 15, 1830..	720	.....	Pay fixed by law June 30, 1834.
4th article treaty July 15, 1830..	220	.....	Estimated by the department.
		2,040	
Per 4th article treaty Aug. 3, 1795..	1,000		
2d article treaty Nov. 17, 1817..	800		
4th article treaty Sept. 17, 1818..	1,500		
4th article treaty Aug. 29, 1821..	1,000		
		4,300	
Per 4th article treaty March 28, 1836..	30,000		
Senate resolution May 17, 1836..	12,000		
4th article treaty March 28, 1836..	5,000		
4th article treaty March 28, 1836..	3,000		
4th article treaty March 28, 1836..	300		
4th article treaty March 28, 1836..	2,000		
4th article treaty March 28, 1836..	800	.....	Estimated by the department.
4th article treaty March 28, 1836..	200	.....	Estimated by the department.
4th article treaty March 28, 1836..	400	.....	Estimated by the department.
7th article treaty March 28, 1836..	2,160	.....	Pay fixed by law June 30, 1834
7th article treaty March 28, 1836..	660	.....	Estimated by the agent.
7th article treaty March 28, 1836..	600	.....	Pay fixed by law June 30, 1834.
7th article treaty March 28, 1836..	220	.....	Estimated by the agent.
7th article treaty March 28, 1836..	1,600	.....	Pay fixed by the department.
7th article treaty March 28, 1836..	1,200	.....	Pay fixed by the department.
		60,140	D.
Per 2d article treaty Jan. 11, 1839...	20,000		
2d article treaty Jan. 11, 1839...	2,000	.....	Pay fixed by law and treaty.
Amount carried forward.....	22,000	492,534	

No. 4—*Estimate of funds required to meet the current expenses of the*

ANNUITIES, &c.

Laws.	Vol.	Page.	Sec.	Names of tribes and objects.
Statutes at Large	7	576	2	Fifteenth of fifteen instalments for two millors . . . Interest on \$69,120, at 5 per cent., being the val- uation of fifty-four sections of land set apart by treaty of January 2, 1825, for educational purposes
				PIANKESHAW.
Statutes at Large	7	51	4	Permanent annuity
Do.	7	101	3	.....do.
				PAWNEES.
Statutes at Large	7	448	4	Agricultural implements, during the pleasure of the President
				POTTAWATOMIES OF HURON.
Statutes at Large	7	106	2	Permanent annuity
				POTTAWATOMIES.
Statutes at Large	7	51	4	Permanent annuity
Do.	7	114	3	.....do.
Do.	7	185	3	.....do.
Do.	7	317	2	.....do.
Do.	7	318	2	Life annuity to chief.
Do.	7	320	2	Permanent annuity
Do.	7	379	3	Twentieth of twenty instalments as annuity
Do.	7	379	3	Life annuity to chiefs
Do.	7	395	3	Twentieth of twenty instalments as annuity
Do.	7	432	3	Eighteenth of twenty instalments as annuity
Do.	7	433	3	Life annuity to chiefs
Do.	7	442	2	Eighteenth of twenty instalments as annuity
Do.	7	75	3	Permanent provision for the purchase of salt
Do.	7	296	3	Permanent provision for the purchase of 160 bushels of salt.
Do.	7	296	3	Education, during the pleasure of Congress.
Do.	7	296	3	Permanent provision for blacksmith and assistant.
Do.	7	296	3	Permanent provision for iron, steel, &c., for shops
Do.	7	318	2	Education, during the pleasure of Congress.
Do.	7	318	2	Permanent provision for the payment of money { in lieu of tobacco. }
Pamp. copy 1845-'46.	7	28	10	
Statutes at Large	7	318	2	Permanent provision for blacksmith and assistant.
Do.	7	318	2	Permanent provision for iron, steel, &c., for shop.
Do.	7	321	2	Permanent provision for blacksmith and assistant.
Do.	7	321	2	Permanent provision for iron, steel, &c., for shop.
Do.	7	320	2	Permanent provision for the purchase of 50 bar- rels salt
Do.	7	401	4	Education, during pleasure of Congress.
Pam. copy, 1845-'46.	7	27	7	Interest on \$643,000, at 5 per centum.
				QUAPAWS.
Statutes at Large	7	426	4	Twentieth of twenty instalments as annuity
Do.	7	425	3	Education, during the pleasure of the President. .
Do.	7	425	3	Blacksmith and assistant, during the pleasure of the President
Do.	7	425	3	Iron, steel, &c., for shop, during the pleasure of the President
Do.	7	425	3	Pay of farmer, during pleasure of the President. .

Indian department for the year ending June 30, 1853—Continued.

—Continued.

Acts making provision.	Amount.	Total.	Remarks.
Amount brought forward....	\$22,000	\$492,534	
Per 2d article treaty Jan. 11, 1839...	1,200	.....	Pay fixed by law June 30, 1834.
Senate resolution Jan. 19, 1818..	3,456		
		26,656	
Per 4th article treaty Aug. 3, 1795..	500		
2d article treaty Dec. 30, 1805..	300		
		800	
Per 4th article treaty Oct. 9, 1833.....		1,000	
Per 2d article treaty Nov. 17, 1807 ..		400	
Per 4th article treaty Aug. 3, 1795..	1,000		
2d article treaty Sept. 30, 1809..	500		
3d article treaty Oct. 2, 1818..	2,500		
2d article treaty Sept. 20, 1828..	2,000		
2d article treaty Sept. 20, 1828..	100		
2d article treaty July 29, 1829..	16,000		
2d article treaty Oct. 21, 1832..	15,000		
2d article treaty Oct. 21, 1832..	400		
3d article treaty Oct. 26, 1832..	20,000		
2d article treaty Sept. 26, 1833..	14,000		
2d article treaty Sept. 26, 1833..	700		
2d sup. art. to treaty Sep. 26, 1833	2,000		
2d article treaty June 7, 1803..	140	.....	Estimated by the department.
2d article treaty Oct. 16, 1826..	320	.....	Estimated by the department.
2d article treaty Oct. 16, 1826..	2,000		
2d article treaty Oct. 16, 1826..	720	.....	Pay fixed by law June 30, 1834.
2d article treaty Oct. 16, 1826..	220	.....	Estimated by the department.
2d article treaty Sept. 20, 1828..	1,000		
2d article treaty Sept. 20, 1828..	300		
2d article treaty June 5, 1846..			
2d article treaty Sept. 20, 1828..	720	.....	Pay fixed by law June 30, 1834.
2d article treaty Sept. 20, 1828..	220	.....	Estimated by the department.
2d article treaty July 29, 1829..	720	.....	Pay fixed by law June 30, 1834.
2d article treaty July 29, 1829..	220	.....	Estimated by the department.
2d article treaty July 29, 1829..	250	.....	Estimated by the department.
4th article treaty Oct. 27, 1832..	2,000		
7th article treaty June 5, 1846..	32,160		
		115,180	
Per 4th article treaty May 13, 1833..	2,000		
3d article treaty May 13, 1833..	1,000		
3d article treaty May 13, 1833..	840	.....	Pay fixed by law June 30, 1834.
3d article treaty May 13, 1833..	220	.....	Estimated by the department.
3d article treaty May 13, 1833..	600	.....	Pay fixed by law June 30, 1834.
		4,660	
Amount carried forward.....		\$540,820	

No. 4—*Estimate of funds required to meet the current expenses of the*

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Laws.	Vol.	Page.	Sec.	Names of tribes and objects.
SIX NATIONS OF NEW YORK.				
Statutes at Large	7	45	6	Permanent annuity.....
SENECAS OF NEW YORK.				
Statutes at Large	4	442	1	Permanent annuity in lieu of interest on stock...
Pamp. copy, 1845-'46.		35	2	Interest in lieu of investment on \$75,000, at 5 per cent.....
STICKBRIDGES.				
Pamp. copy, 1848-'49.		138	9	Interest on \$16,500, at 5 per centum.....
SIOUX OF MISSISSIPPI.				
Statutes at Large	7	532	2	Interest on \$200,000, at 5 per centum.....
Do.	7	539	2	Sixteenth of twenty instalments in goods.....
Do.	7	539	2	Sixteenth of twenty instalments for the purchase of medicines, agricultural implement, and for the support of farmers, physicians, blacksmiths, &c.....
Do.	7	539	2	Sixteenth of twenty instalments in provisions....
SACS AND FOXES OF MINNESOTA.				
Statutes at Large	7	544	2	Interest on \$157,400, at 5 per centum.....
SACS AND FOXES OF MINNESOTA.				
Statutes at Large	7	85	3	Permanent annuity.....
Do.	7	375	3	Twenty-first of thirty instalments at annuity....
Do.	7	375	4	Twenty-first of thirty instalments for gunsmith...
Do.	7	375	4	Twenty-first of thirty instalments for iron, steel, &c., for shop.....
Do.	7	375	4	Twenty-first of thirty instalments for blacksmith and assistant.....
Do.	7	375	4	Twenty-first of thirty instalments for iron, steel, &c., for shop.....
Do.	7	375	4	Twenty-first of thirty instalments for 40 barrels of salt.....
Do.	7	375	4	Twenty-first of thirty instalments for 40 kegs of tobacco.....
Do.	7	541	2	Interest on \$200,000, at 5 per centum.....
Do.	7	596	2	Interest on \$200,000, at 5 per centum.....
SHAWNEES.				
Statutes at Large	7	51	4	Permanent annuity.....
Do.	7	161	4	..... do.....
Do.	7	75	3	Permanent provision for the purchase of salt.....
Do.	7	356	4	Blacksmith and assistant during the pleasure of the President.....
Do.	7	356	4	Iron, steel, &c., for shop during the pleasure of the President.....
SENECAS AND SHAWNEES.				
Statutes at Large.....	7	179	4	Permanent annuity.....
Do.	7	352	4	Blacksmith and assistant during the pleasure of the President.....
Do.	7	352	4	Iron, steel, &c., for shop during the pleasure of the President.....

Indian Department for the year ending June 30, 1853—Continued.

—Continued.

Acts making provision.	Amount.	Total.	Remarks.
Amount brought forward.....		\$540,830	
Per 4th article treaty Nov. 11, 1794.....		4,500	
act of Feb. 19, 1831.....	\$6,000		
act of June 27, 1846.....	3,750	9,750	
9th article treaty Nov. 24, 1848.....		825	
21 article treaty Sept. 29, 1837..	15,000		
21 article treaty Sept. 29, 1837..	10,000		
21 article treaty Sept. 29, 1837..	8,250		
21 article treaty Sept. 29, 1837..	5,500	38,750	
21 article treaty Oct. 21, 1837.....		7,870	
21 article treaty Nov. 3, 1804..	1,000		
21 article treaty Sept. 21, 1832..	20,000		
21 article treaty Sept. 21, 1832..	600	.....	Pay fixed by law June 30, 1834.
21 article treaty Sept. 21, 1832..	220	.....	Estimated by the agent.
4th article treaty Sept. 21, 1832..	840	.....	Pay fixed by law June 30, 1834.
4th article treaty Sept. 21, 1832..	220	.....	Estimated by the agent.
4th article treaty Sept. 21, 1832..	200	.....	Estimated by the department.
4th article treaty Sept. 21, 1832..	800	.....	Estimated by the department.
21 article treaty Oct. 21, 1837..	10,000		
21 article treaty Oct. 11, 1842..	40,000	73,880	E.
4th article treaty Aug. 3, 1795..	1,000		
4th article treaty Sept. 29, 1817..	2,000		
21 article treaty June 7, 1803..	60	.....	Estimated by the department.
4th article treaty Aug. 8, 1831..	840	.....	Pay fixed by law, June 30, 1834.
4th article treaty Aug. 8, 1831..	220	.....	Estimated by the agent.
Per 4th article treaty Sept. 17, 1818..	1,000	4,120	
4th article treaty July 20, 1831..	840	.....	Pay fixed by law, June 30, 1834.
4th article treaty July 20, 1831..	220	.....	Estimated by the department.
Amount carried forward.....		782,585	

No. 4.—*Estimate of funds required to meet the current expenses of the*

ANNUITIES, &c.

Laws.	Vol.	Page.	Sec.	Names of tribes and objects.
SENECAS.				
Statutes at Large.....	7	181	4	Permanent annuity
Do.....	7	179	4	.....do.
Do.....	7	349	4	Blacksmith and assistant during the pleasure of the President
Do.	7	349	4	Iron, steel, &c., for shop during the pleasure of the President
Do.....	7	349	4	Pay of a miller during the pleasure of the President
WYANDOTS.				
Laws United States ..	10	951	3	Permanent annuity
Old edition.....	10	952	8	Permanent provision for blacksmith and assistant.
Do.....	10	952	8	Permanent provision for iron, steel, &c., for shop.
Do.....	10	951	4	Permanent provision for education
WEAS.				
Statutes at Large.....	7	187	5	Permanent annuity
WINNEBAGOES.				
Statutes at Large.....	7	323	2	Twenty-fourth of thirty instalments as annuity ...
Do.....	7	371	3	Twenty-first of twenty-seven instalments as annuity
Do.....	7	323	2	Twenty-fourth of thirty instalments for 50 barrels salt
Do.....	7	323	2	Twenty-fourth of thirty instalments for 3,000 lbs. tobacco.....
Do.....	7	372	5	Twenty-first of twenty-seven instalments for 1,500 pounds tobacco.....
Do.....	7	321	3	Twenty-fourth of thirty instalments for three blacksmiths and assistants
Do.....	7	321	3	Twenty-fourth of thirty instalments for iron, steel, &c., for shops.
Do.....	7	324	3	Twenty-fourth of thirty instalments for laborers and oxen
Do.....	7	371	4	Twenty-first of twenty-seven instalments for education.....
Do.....	7	372	5	Twenty-first of twenty-seven instalments for six agriculturists, purchase of oxen, ploughs, and other implements
Do.....	7	372	5	Twenty-first of twenty-seven instalments for pay of two physicians
Do.....	7	546	2	Interest on \$1,100,000, at 5 per centum
Pamp. copy 1846-'47.		52	4	Interest on \$55,000, at 5 per centum

Indian department for the year ending June 30, 1853—Continued.

—Continued.

Acts making provision.	Amount.	Total.	Remarks.
Amount brought forward.....		\$782,585	
Per 4th article treaty Sept. 29, 1817..	\$500		
4th article treaty Sept. 17, 1818..	500		
4th article treaty Feb. 28, 1831..	840	.....	Pay fixed by law, June 30, 1834.
4th article treaty Feb. 28, 1831..	220	.....	Estimated by the agent.
4th article treaty Feb. 28, 1831..	600	.....	Pay fixed by law, June 30, 1834.
		2,660	
Per 3d article treaty Mar. 17, 1842..	17,500		
8th article treaty Mar. 17, 1842..	840	.....	Pay fixed by law, June 30, 1834, and by the department.
8th article treaty Mar. 17, 1842..	370	.....	Estimated by the agent,
4th article treaty Mar. 17, 1842..	500		
		19,210	F.
Per 5th article treaty Oct. 2, 1818....		3,000	
Per 2d article treaty Aug. 1, 1829..	18,000		
3d article treaty Sept. 15, 1832..	10,000		
2d article treaty Aug. 1, 1829..	250	.....	Estimated by the department.
2d article treaty Aug. 1, 1829..	600	.....	Estimated by the department.
5th article treaty Sept. 15, 1832..	300	.....	Estimated by the department.
3d article treaty Aug. 1, 1829..	2,160	.....	Pay fixed by law, June 30, 1834.
3d article treaty Aug. 1, 1829..	660	.....	Estimated by the agent.
2d article treaty Aug. 1, 1829..	365	.....	Estimated by the department.
4th article treaty Sept. 15, 1832..	3,000		
5th article treaty Sept. 15, 1832..	2,500		
5th article treaty Sept. 15, 1832..	400		
4th article treaty Nov. 1, 1837..	55,000		
4th article treaty Oct. 13, 1845..	4,250		
		97,485	G.
Amount carried forward.....		904,940	

No. 4.—*Estimate of funds required to meet the current expenses of the*
CALIFORNIA, NEW

Laws.	Vol.	Page.	Sec.	Objects.
PAY OF INDIAN AGENTS.				
Pamp. copy 1849-'50.		519	1	Three for the tribes in California
Pamp. copy last sess.		587	5	Four for the tribes in New Mexico.....
Do.....		587	5	One for the tribes in Utah
PAY OF INTERPRETEES.				
Statutes at Large.....	4	737	9	{ Fifteen for the tribes in California, New Mexi- co and Utah
Pamp. copy last sess.		587	8	

*Indian department for the year ending June 30, 1853—Continued.***MEXICO AND UTAH.**

Acts making provision.	Rate of salary.	Amount.	Total.
Amount brought forward.....	.....	.....	\$904,940 00
September 28, 1850	\$3,000 00	\$9,000 00	
February 27, 1851	1,550 00	6,200 00	
.....do.....	1,550 00	2,550 00	
			16,750 00
June 30, 1834	} 500 00	7,500 00	7,500 00
February 27, 1851			
			928,890 00

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs.

No. 5.—*Explanations.*

(A.) Item increased over estimate of last year \$13,000, the same being needed for the erection of new and repairs of old agency buildings.

(B.) Item for the Choctaws increased over the regular estimate of last year \$42,700, the amount of \$43,600 for interest on scrip funded being added and the annuity to Bob Cole (\$150) and the salaries to three district chiefs (\$750) taken from it, these latter sums having expired by limitation.

(C.) Item for the Menomonees increased \$100, owing to the enhanced value of tobacco.

(D.) Item for the Ottawas and Chippewas increased \$300 for the reason expressed in the explanation next above.

(E.) Item for the Sacs and Foxes increased \$200 for the same reason.

(F.) Item for the Wyandots increased \$120, the same being required for the pay of the assistant blacksmith.

(G.) Item for the Winnebagoes increased \$375 for the reason expressed respecting the items for Menomonees, Ottawas and Chippewas, and Sacs and Foxes.

Special estimate of funds required for the service of the Indian department within the present fiscal year ending June 30, 1852.

Objects.	Amount.	Total.
1. For payment to the American party of St. Regis Indians (less the sum of \$1,000 appropriated by the act of June 27, 1846, in pursuance of the stipulation contained in the supplemental article) as a remuneration for moneys laid out by said tribe, and for services rendered by their chiefs and agents in securing the title to the Green Bay lands, and in removal to the same, agreeably to the provisions of the 9th article of the treaty with the Six Nations of New York, January 15, 1838.—(Laws, Statutes at Large, vol. 7, page 552, section 9; volume 7, page 561, section 1; pamphlet copy 1845-'46, page 33).....	\$1,000 00	\$1,000 00
2. For payment to the Seneca Indians of New York, for moneys wrongfully withholden from them by an agent appointed by the government for the management of their affairs, as per report of Thomas B. Stoddard, Esq., commissioner selected by the Secretary of War to make the requisite investigation, pursuant to the direction contained in the 4th section of the act of June 27, 1846, making appropriations for the Indian Department.)—Pamphlet copy 1845-'46, page 35, section 4.	28,505 50	28,505 50
3. For payment to Presha Bedwell, (formerly Presha Foreman,) being the amount of an award by the Cherokee Commissioners in her favor, which was erroneously paid by a former Cherokee agent to some one who personated the proper claimant.	464 00	464 00
4. For payment to Horsefly, being the amount of an award by the first board of Cherokee commissioners, less the amount of \$6, allowed as fee to the attorney, for an improvement belonging to Tianey, (the deceased wife of Horsefly,) improperly valued and paid for to Tawney, of the same town in the country east.	54 00	54 00
5. For payment to Se-ka-wee, a Cherokee, only heir of Woote-ti-eh, deceased, for an improvement in Turkeytown valley, Alabama, which was improperly valued and paid for to Rachel Bright, a white woman, the said Woote-ti-eh, deceased, being the rightful owner.	166 50	166 50
6. For the re-appropriation of the following sums (carried to the surplus fund per warrants numbered 12 and 13, and dated respectively, June 30, 1846, and June 30, 1848,) under the following heads, viz: " For carrying into effect Choctaw treaty," act June 11, 1842 " For carrying into effect Choctaw treaty, on account of lands relinquished," act March 2, 1831 " Payment to Pottawatomies for corn crop abandoned," act March 3, 1839 " Payment to Pottawatomies for twelve log houses destroyed," act March 3, 1839	95 83 826 26 742 50 600 00	95 83 826 26 742 50 600 00
Amount carried forward.		\$35,464 59

No. 6.—*Special estimate*—Continued.

Objects.	Amount.	Total.
Amount brought forward		\$35,454 59
7. For interest on the amount awarded Choctaw claimants under the 14th article of the treaty of Dancing Rabbit creek, September 27, 1830, for lands on which they resided, but which it is impossible to give them, and in lieu of the scrip that has been awarded under the act of August 23, 1842, not deliverable east, by the 3d section of the said law, per act of March 3, 1845, for the half year ending June 30, 1852.....	\$21,800 00	21,800 00
8. For compensation of three special agents and four interpreters for the Indian tribes of Texas, and for the purchase of presents.....	15,000 00	15,000 00
9. For continuing the collection and for publishing the statistics and other information authorized by the act of March 3, 1847, and subsequent acts.....	17,000 00	
For arrearages in the cost of the preparation of the volume of 1851.....	5,300 00	
For printing, binding, &c., 600 copies of volume 1, for distribution among new members.....	6,575 00	28,875 00
10. For this sum to enable the department to satisfy the claims of the Creek Indians for mills stipulated to be furnished under 5th article of the treaty of February 14, 1838.	4,000 00	4,000 00
11. For expenses of removal and subsistence of Pottawatomies of Indiana	22,500 00	22,500 00
12. For expenses of removal and subsistence of Choctaws.	50,000 00	50,000 00
13. For expenses of removal and subsistence of Winnebagoes..	3,513 02	3,513 02
14. For this sum to cover arrearages for and on account of contingencies of the Indian department.....	22,500 00	22,500 00
15. For indemnity for losses sustained by the Menomonee Indians in the delivery of goods to them as a part of their annuity, in the year 1837, per 7th article of the treaty with that tribe of October 18, 1848.....	3,624 48	3,624 48
16. For payment of interest, at 6 per centum per annum, on the sum of \$4,000, stipulated to be paid to Baptiste Powlis and the chiefs of the First Christian party of Oneidas; and also on the sum of \$2,000, stipulated to be paid to William Day and the chiefs of the Orchard party by the 13th article of the treaty of January 15, 1838, with the Six Nations of New York, from June 27, 1846, the date of the act making the appropriation of the principal, to January 18, 1851, when it was decided by the department that the claims should be paid.....	1,641 70	1,641 70
17. For payment to James Pool for services as blacksmith, and for the use of his tools, for the Seneca tribe of Indians, from July 1 to November 8, 1838.....	213 33	213 33
18. For expenses of continuing negotiations with the Indian tribes of Oregon lying west of the Cascade mountains	12,000 00	
Amount carried forward.....	12,000 00	209,122 12

No. 6.—*Special estimate*—Continued.

Objects.	Amount.	Total.
Amount brought forward	\$12,000 00	\$209,122 12
For the erection of a warehouse in which to store goods designed for issue to Indians.....	5,000 00	
For the completion of buildings for the use of the superintendent and Indian agents in Oregon.....	3,000 00	
For clerk hire, office rent, fuel, stationery, &c., for the superintendent	3,000 00	
For travelling expenses of superintendent and agents on official business.....	4,000 00	27,000 00
19. For payment to William B. Hart, assignee of contractors for the removal of Choctaw Indians from the States of Mississippi and Alabama, a balance of a claim on account of said removal, heretofore reported to be due by this office, and an appropriation for the payment of which passed the Senate of the United States at the last session of Congress.	37,422 12	37,422 12
20. For liquidated balance found due the Creek Indians for losses sustained during the last war with Great Britain by that portion of the tribe that was friendly to and co-operated with the United States, in accordance with the promise of the government, and pursuant to the report of the Commissioner of Indian Affairs to the Committee on Indian Affairs of the Senate, May, 1850.....	110,417 90	110,417 90
21. For the re-appropriation of this sum, (carried to the surplus fund,) being the balance due the Ottawa and Chipewewa Indians, under the 5th article of the treaty of 1836, for payment of their debts, appropriated July 2, 1836, and re-appropriated March 3, 1839.....	624 22	624 22
22. For the purchase of two sections of land reserved by the treaty with the Pottawatomies of October 20, 1812, for "Shobonier".....	1,600 00	1,600 00
Total		386,186 26

No. 7.

Explanations to Special Estimates.

1. The time of payment of this money, by the provisions of the treaty, being discretionary to the President, it has been determined to pay the amount over to the Indians so soon as it is appropriated.

2. As explanatory of this item, I respectfully annex a copy of the report of the Committee on Indian Affairs of the Senate, No. 192, 1st session 31st Congress, marked A.

3, 4, and 5. As expressed in the items, the several sums are required to correct errors committed by the United States Cherokee commissioners in their awards, and by the Indian agent in his payments under those awards.

6. These amounts were carried to the surplus fund; but having ascertained that they are not to meet objects for which they were originally made, re-appropriations are required. The objects to which these sums are to be applied are as follows, viz:

That for the Choctaws is to pay a balance due to "Hitch Charley," one of the captains, who is entitled to receive \$50 a year, for four years, under the provisions of the 15th article of the treaty of Dancing Robbit creek, of 27th September, 1830.

That for the same, is to meet claims that may be ascertained to be due and unpaid for lands relinquished, under the 5th section of the 19th article of the same treaty, an application for the settlement of which has recently been made.

That for the Pottawatomies is expressed in the item.

7. The appropriation made at the late session covers the amount due to the 1st January, 1852; and in the regular estimate now submitted is embraced the amount required for the year commencing July 1, 1852, and ending June 30, 1853, bearing the period of inclusion from January 1 to June 30, 1852, unprovided for; hence the introduction of this item in the special estimate.

8. As a temporary arrangement, appropriations have from year to year been made by Congress for keeping up agencies among the Texan Indians. It is proposed to continue the same until our Indian relations in that State are placed on a more permanent basis.

9. As stated in the estimate, the sums are required for continuing the collection, and for publishing the statistics and other information authorized by the act of March 3, 1847, and for printing acts. The second item being an arrearage in the cost of the volume for 1851, and the third is to defray the expense of publishing 600 additional copies of volume No. 1, for the new members; the first being the amount needed in prosecution of the work for the calendar year, as follows:

Object.	Amount.
Salary of a person charged with the work.....	\$1,800 00
Copiest.....	950 00
Stationery, room rent, postage, and drawing materials.....	450 00
Special agencies.....	400 00
Stationery.....	1,250 00
Printing.....	1,450 00
Postage.....	500 00
Books.....	1,200 00
Stationery and illustrations.....	8,000 00
Contingencies of publication and distributing.....	1,000 00
Total.....	17,000 00

10. The treaty of 1833 with the Creeks stipulates for the erection of four railway mills for grinding corn. This provision of the treaty, it appears on examination, has not been carried out. For the four mills it is estimated \$4,000 will be required. An appropriation, therefore, of that amount is asked for.

11. This sum is required to meet a balance due under a contract for the removal of Pottawatomie Indians and to provide for the subsistence of the emigrants, numbering 639 souls, for twelve months.

12. From data in possession of the office, it is estimated that there are still east of the Mississippi 1000 Choctaws, the cost of whose removal, and their subsistence for twelve months, will be as follows:

Object.	Amount.
Say for removal.....	\$40,000 00
Subsistence	30,000 00
Contingencies	5,000 00
Total	75,000 00
Deduct amount on hand, say	25,000 00
Amount required	50,000 00

13. This sum is required to meet a balance due under contract for the removal of Winnebago Indians. The number removed was 672 souls, which, at the contract price of \$70 per head, amounts to..... \$47,040 00

Deduct amount paid from funds on hand applicable

43,526 98

Leaves due..... 3,513 02

14. The management of our Indian relations in California, New Mexico, and Utah, and elsewhere, has called for large expenditures from the current and contingent funds of the department, much larger, indeed, than could by any possibility have been foreseen; and the consequence has been to nearly exhaust the contingent fund, leaving only about six thousand dollars to meet the wants of the service for the remainder of the present fiscal year, an amount wholly insufficient. To make good so far as possible the amount appropriated for current expenditures, and relieve the fund from the charges for arrearages, this item has been introduced, and it is hoped the amount will be appropriated.

15. The 7th article of the treaty of 1848, stipulates that full indemnity shall be made for any loss which the tribe may be shown to have sustained at the payment of the annuity in 1837. The amount of loss, and the circumstances attending it, will be found stated in the report of J. W. Edmonds, dated September 11, 1837, and the certificates of the appraisers, enclosed therein, on the files of the House of Representatives, and in the accompanying copy of a report of the sub-agent of the tribe, marked E. In the certificate a clerical error has been discovered of \$1,100 25, which reduces the amount of loss to that embraced in the estimate.

16. As explanatory of this item, I submit a copy of the petition of the Indians, by Mr. G. R. Herrick, their attorney, setting forth the grounds of the claim, marked B. The demand is regarded as just, and should be admitted.

17. This demand was investigated and allowed by my predecessor, but payment of it was declined for the want of funds applicable. It is therefore recommended that the amount asked be placed at the disposal of the department.

18. The superintendent of Indian affairs in Oregon, on the subject of these items, remarks, in reference to the first, that the amount is based upon the cost of the treaties already made; to the second, that the building of a storehouse seems indispensable when we take into consideration the great amount of merchandise to be furnished the Indian tribes; to the third, that the amount is only sufficient to finish the buildings already in a forward state towards completion. The other items are of obvious necessity, and explain themselves.

19. For explanation of this item, see accompanying report, marked C.

20. As explanatory of this item, see copy of report herewith, and accompanying documents, marked D. from the Commissioner of Indian Affairs to the chairman of the Committee on Indian Affairs of the Senate, dated May 10, 1850.

21. This amount is required to meet the request of the Ottawa and Chippewa Indians for the balance due them under the 5th article of the treaty of 1836.

22. This money is required to purchase the lands reserved to "Shobonier" from his heirs.

A.

IN THE SENATE OF THE UNITED STATES, *September 9, 1850.*

Mr. WALES made the following report :

The Committee on Indian Affairs respectfully submit the following report on the claim referred to it of the Seneca Indians of New York, for certain moneys lost by them through one of the agents appointed by the government for the management of their affairs :

By the fourth section of the act of June 27, 1846, making appropriations for the Indian department, the Secretary of War was "required to ascertain what annuities or moneys have been wrongfully withholden from the said Senecas by the late sub-agent of the United States, and so lost to them;" and to enable him to perform this duty in a satisfactory manner, he was authorized to appoint a commissioner or commissioners to make the necessary investigation, and to collect testimony in relation to the matter ; and the result was required to be reported to Congress. The sum of five hundred dollars was at the same time appropriated to defray the expenses of such investigation. The Secretary of War appointed a commissioner accordingly, who made a careful and laborious investigation of the whole case—occupying the greater portion of an entire year—and who submitted an elaborate report of the facts ascertained by him, accompanied by the evidence he collected in relation thereto. This report and evidence were submitted by the Secretary to Congress, on the 8th of January, 1848, as a compliance, on his part, with the requirements of the law, and comprise Senate document No. 31, first session thirtieth Congress. The investigation and report thus procured and carefully made, and submitted to Congress by a high executive officer, in fulfilment of the duty imposed upon him by the law, to ascertain the merits and extent of the claim, may, it is presumed, be safely relied on. The committee perceive no good reason to doubt the correctness of the results and conclusions arrived at by the commissioner. Before proceeding to state them and the facts connected with them, however, it is deemed proper to give a brief view of the position held towards the Indians in question by the agent appointed for them by the United States, in order that the merits of the case, and the obligations of the government arising out of it, may the more clearly be understood.

At an early period, when the affairs and interests of these Indians and their relations with the government and our citizens were becoming more complex and important, they felt the necessity of having an agent in whom they could confide, to attend to their interests and to manage their concerns for them. The government obligated itself to provide them with one, who, in the 6th article of the treaty of 1794, is styled "the superintendent appointed by the President for the affairs of the Six Nations (New York Indians) and their Indian friends." This superintendent or agent has always had charge of, and been required by his appointment and instructions to exercise a careful supervision over all their affairs and interests, of whatever character ; and being appointed by the government, and giving bond to it for the faithful discharge of all his duties and trusts, the Indians have ever looked up to him as a safe depositary of their interests, and as a

person to be confidently relied on in all matters connected therewith. His connexion with, and supervision and management of their money affairs, have not been confined to those arising out of their relations with the United States, but have extended to and embraced those with the State of New York and with individuals. Hence the annuities and moneys due to them from that State have always been received and paid over by him; and he has, in like manner, had the control and management of pecuniary trusts and obligations existing between them and individuals. In view of these facts, there seems to be no good reason to doubt that whatever amount the Indians may have lost through the malfeasance or even the negligence of the government agent, the United States are morally, if not legally bound to make good to them. Nothing short of this would be consistent with justice and good faith towards these helpless and dependent wards of the general government.

The agent through whom the losses were sustained, resigned in 1840, and the Indians have ever since been endeavoring to obtain remuneration for those losses. The commissioner of Indian affairs, in his instructions to the commissioner appointed by the Secretary of War to investigate the claim, states that it became apparent, soon after the agent's resignation, that all was not right in his dealings with the Indians: that the subject had been repeatedly brought before the department by the Indians, but that, the individual being out of office, "the department had no means of compelling restitution of the moneys said to have been withheld." Their repeated applications to the department proving fruitless, they were compelled themselves to lay their case before Congress. Their claim was investigated and favorably considered in the Senate, and an item was inserted in the Indian appropriation bill to pay them. This was disagreed to by the House of Representatives; which led to a committee of conference between the two Houses, and that conference to the adoption of the fourth section of the act of June 27, 1846, requiring the investigation of the claim in the manner it has been by the Secretary of War, through the instrumentality of a commissioner appointed for the purpose.

The claim is made up of various items, and the material facts connected with them are as follows:

The first is for the principal of a fund, known as the "Phelps and Gorham annuity fund," amounting to \$7,143, and the annuity due thereon from 1837, when it was first withheld, to the present time inclusive. This fund was created by a sale by the Indians in 1788, of some of their lands to Messrs. Phelps and Gorham, and it was so secured as to give to the Indians a regular annuity of five hundred dollars. It is shown in the report of the commissioner appointed by the Secretary of War, that the agent appointed by the government to take charge of the affairs and interests of the Indians, had the control and management of this fund from the earliest period: that it was regularly transferred from one agent to another; and that it came into the hands of the individual who was agent in 1837, when it disappeared, and the Indians have received nothing on account of it since. Having been used or disposed of by that individual, he pretended to replace or secure it to the Indians by a mortgage on certain property of his own, executed in 1837, but which was entirely worthless, because the property had previously, in 1835, been mortgaged to other parties for as much as it was worth: which previous mortgage was foreclosed, and the property sold and transferred into other hands, and the

Indians were thus left without their fund, or any security for it. Under these circumstances, there would seem to be no doubt of the obligation of the government to make good the amount to them, as well as the amount of annuity upon it, of which they have been deprived since 1836, but which they would have regularly received, as they had previously, had not the fund been made way with, but been properly taken care of and managed by the government agent.

In regard to the next item, it appears that by a treaty or agreement with Messrs. Troup, Ogden and Rogers, in 1826, the Indians became possessed of United States stock, yielding an income of \$2,583 per annum; that this stock was placed in the Ontario bank, in Canandaigua, New York, in trust for the Indians, where it still is; and that the income has been regularly collected by the bank, and paid over to the government agent for the Indians for payment to them. It is satisfactorily shown that it was paid to him for the years 1837, 1838 and 1839, but that he never paid any portion of it to the Indians for those years. They have, therefore, a just claim against the government for the amount which they thus lost.

The next item is for the amount of an annuity of \$500, due from the State of New York under a treaty of 1815, which the same agent received in 1837 and 1838, but never paid over to the Indians, as is satisfactorily established by the report of the commissioner. The Indians rely upon the agent appointed for them by the general government to collect this annuity for them and pay it over; and this has always been properly done, except during the years mentioned. The amount for those years having been lost through that agent, without any fault on the part of the Indians, or of the authorities of New York, there is an unquestionable obligation on the part of the United States to repair that loss.

The following are the facts ascertained by the commissioner in relation to the next item: A difficulty arose in relation to the distribution of a part of the annuity due from the United States to the Indians in 1838, in consequence of an effort to effect a change in the established custom of paying such moneys to the chiefs, to be disposed of by them by distributing the annuity money directly and equally among the heads of families. The money was first deposited in the bank of Buffalo to the credit of certain chiefs, who drew it therefrom and took it to the council-house. The Indians then quarrelled all day about the disposition to be made of it; and being unable to settle the difficulty, they deposited it for the night with one of the chiefs, from whom it was the same night taken by force. On a search-warrant it was recovered and taken into court, and the judge advised its re-deposit in the bank, in the names of the same chiefs to whose credit it had been there previously, until the difficulty should be settled. By the advice of the agent, however, it was deposited to the credit of only four of them; and at his instigation and request it was afterwards drawn out and placed in his hands, upon the pretext of enabling him to distribute it to the heads of families. Only \$117 50 was so distributed or paid—the agent having kept and made away with the balance, amounting to \$3,482 50. Under these circumstances, there would seem to be no doubt of the obligation of the government to make good the amount.

The next and last item pertains to the claim of an individual Indian rather than of the tribe. It appears from the report of the commissioner, that Mrs. Polly Jameson, an Indian woman of property and respectability, placed a sum of money in the hands of the agent for safe-keeping, of which he never

paid her back but \$180, and that the balance, amounting to \$1,631, she could never recover, and lost entirely. The commissioner ascertained that to be the amount she actually thus lost; that the money was entrusted to the agent solely in consequence of his official position and connexion with the Indians; that this was done because he was "an officer appointed by the government for the special purpose of taking charge of the interests of the Indians," individually as well as collectively. The case is one of great hardship, and merits the most favorable consideration.

The following is a detailed statement of the items of the claim, and the amounts to which, according to the report of the commissioner appointed to investigate it, the Indians are entitled:

1. Principal of Phelps and Gorham annuity fund.....	\$7,143 00
2. Annuity of \$500 due thereon from 1837 to 1850, inclusive—fifteen years..	7,500 00
3. Income on stock placed in Ontario Bank for 1837, 1838 and 1839, viz: \$2,583 per annum.....	7,749 00
4. Annuity of \$500 from the State of New York for 1837 and 1838.....	1,000 00
5. Amount deposited by chiefs in Buffalo Bank, and drawn therefrom by the agent, less \$117 50 thereof distributed to heads of families	3,482 50
6. Amount deposited with agent by Mrs. Polly Jameson, less \$180 paid her back by him	1,631 00
	<hr/>
	28,505 50

It would thus appear, from a laborious and careful investigation by a commissioner specially appointed for the purpose by authority of Congress, and whose report was adopted by the Secretary of War, who was required to ascertain the merits and extent of the claim, that there is justly and fairly due from the government to the Seneca Indians of New York the sum of \$28,505 50, exclusive of interest, which they also claim, and to which they are entitled upon every principle of justice and equity. They lost the money entirely through the malfeasance of the agent appointed by the government to take charge of their affairs, and to watch over and protect their interests, and whom they were consequently led to confide in implicitly in all matters connected therewith. They repeatedly, and year after year, made application to the department for justice, but no proper attention appears to have been paid to their solicitations, and they were finally compelled, in 1845, to do what the committee think the department should have done for them—to lay their claim before Congress, and urge it upon the consideration of that body. It is, therefore, one of those few peculiar cases in which the government is fairly and justly bound to pay interest—which would be awarded to them in any court of law and equity. The matter is one of great consequence to them, and they have interests of great magnitude and importance depending upon the amount that may be allowed to them. It is their intention to devote it, whatever it may be, to the establishment of manual-labor and other schools, for the education and training of their youth in letters and in the mechanic arts, and pursuits of civilized life, and thus to secure their advancement in civilization, their moral and social elevation, and their permanent welfare, happiness, and prosperity. An object so important and praiseworthy—one which the government has steadily kept in view in its relations with the various Indian tribes—should strongly commend their case to the liberal consideration of Congress. The committee, therefore, respectfully recommend that an

item or section be inserted in the Indian appropriation bill making provision for the payment of the claim, principal and interest.

B.

Know all men by these presents, that we, Polly Powlis, (widow of Baptist Powlis, deceased,) Jacob Powlis, Jacob Beechtree, and Peter Powlis, chiefs of the First Christian party of Oneida Indians, and residents of the town of Lenox, in the county of Madison, and State of New York, and William Day and William Johnson, of Vernon, Oneida county, and Daniel Skanandoah, of Lenox aforesaid, chiefs of the Orchard party of Oneida Indians, do hereby irrevocably make, constitute and appoint James B. Jenkins, of Oneida Castle, New York, R. J. Burn, of Hamilton, and George R. Herrick, of the city of Washinton, D. C., our true and lawful attorneys, with power of substitution, for us, and in our names, place and stead, to demand and receive of and from the United States, all money or moneys to which we are entitled, and due us and the said parties abovementioned, for interest on the sum of six thousand dollars, which became due to said parties of Oneidas from the government of the United States, by virtue of the ratification of the treaty in 1840, and which sum was not paid until the month of August last past; that we do vest in our said attorneys full power to ask and receive said legal interest from the United States on the said sum of \$6,000, distributed or paid as aforesaid by the agent of the government in the month of August last, \$4,000 to the First Christian party, and \$2,000 to the Orchard party, from the date such money became due as aforesaid to the date of its payment in August, 1851.

And we do hereby and herewith empower our said attorneys, in our names, to give receipts and other sufficient discharges, for such interest-money due as aforesaid, or such sum as Congress may grant; and to attend to and prosecute any and all kinds of business in the premises we may have with or before any of the departments of government or Congress; and generally to do any and every other act or acts that we might or could do were we personally present at the doing thereof; hereby ratifying and confirming whatever our said attorneys shall do in and about the premises by virtue hereof; and for good and sufficient reasons, do hereby revoke and countermand any and all other powers of attorney, or other authority that may have been given by us for any such purposes, and vest the same solely and irrevocably in our said attorneys, said James B. Jenkins and George R. Herrick.

In testimony whereof, we have hereunto set our hands and seals, this thirtieth day of September, 1851.

POLLY POWLIS, her x mark.	[L. S.]
JACOB POWLIS, his x mark.	[L. S.]
JACOB BEECHTREE, his x mark.	[L. S.]
PETER POWLIS, his x mark.	[L. S.]
WILLIAM DAY, his x mark.	[L. S.]
WILLIAM JOHNSON, his x mark.	[L. S.]
DANIEL SKANANDOAH, his x mark.	[L. S.]

Attest: ALEX. CRAMPHIN,
JAMES P. ROOT,
W. D. ALFORD.

STATE OF NEW YORK, }
Oneida county, } ss:

On this 30th day of September, 1851, personally appeared before me, James Tomlinson, a justice of the peace, duly authorized by law to take acknowledgements in and for the county aforesaid, the persons whose names above appear to power of attorney, and acknowledged the same to be their act and deed for the purposes therein described.

JAMES TOMLINSON,
Justice of the Peace.

ONEIDA COUNTY, ss:

Peter Doxtater, of Lenox, Madison county, and State of New York, being duly sworn, says: That this deponent is a member of the First Christian party, and interpreter for the Oneidas; that this deponent is well acquainted with the signers of the above power of attorney, who are chiefs of the First Christian party and Orchard party, of Oneida Indians, and who have full power to give said power of attorney; that Polly Powlis is the widow of Baptiste Powlis, deceased; that the foregoing power of attorney has been read to said chiefs, and the signers thereof, in the presence of this deponent, and duly explained to them; and that this deponent has had a consultation with nearly all the members of both parties herein mentioned, and that they fully concur with their chiefs in executing said power.

Attest:

PETER DOXTATER, his x mark.

Sworn to and subscribed before me, this 30th day of September, 1851. And I do hereby certify, that Peter Doxtater, signer of the above deposition, is interpreter for the Oneidas of my own knowledge, and that I believe his affidavit to be entitled to full faith and credit.

JAMES TOMLINSON,
Justice of the Peace.

STATE OF NEW YORK, }
Clerk's office, Oneida county, } ss:

I, Alexander Rae, clerk of the said county, do certify, that James Tomlinson \bar{e} esquire, whose name is subscribed to the certificate of the proof or acknowledgement of the annexed instrument, and thereon written, was, at the time of taking such proof or acknowledgement, a justice of the peace for said county, dwelling in said county, and sworn and duly authorized to take the same. And further, that I am well acquainted with the hand-writing of such justice, and verily believe that the signature to the certificate of said proof or acknowledgment is genuine.

In testimony whereof, I have hereunto set my hand and affixed the seal of the said county, this 15th day of October, 1851.

ALEXANDER RAE, *Clerk.* [l. s.]

C.

IN SENATE OF THE UNITED STATES, *January 29, 1851.*

Mr. BELL made the following report:

The Committee on Indian Affairs, to whom was referred the memorial of William B. Har', have had the same under consideration, and make the following report:

The treaty of Dancing Rabbit creek, made with the Choctaw Indians on the 27th September, 1830, ceded to the United States all the lands owned by them "east of the Mississippi river."

The 3d article provided that "as many as possible of their people, not exceeding one-half of the whole number," should remove to the country set apart for them west of the Mississippi river, "during the falls of 1831 and 1832," and "the residue to follow during the succeeding fall of 1833."

The 14th article provided for the reservation of one section of six hundred and forty acres of land to "each Choctaw head of a family" who should desire "to remain and become a citizen of the States," and who should "signify his intention to the agent within six months" thereafter. In like manner, each head of a family was entitled to "half that quantity for each unmarried child which is [was] living with him over ten years of age," and also "a quarter section to such child as may be under ten years of age." Five years' residence upon these lands was requisite to entitle the parties to patents in fee simple for them; but provision was also made that, if they removed west of the Mississippi at any subsequent time, they should "not be entitled to any portion of the Choctaw annuity."

Other large reservations of land were made by the 19th article. Provision was made that these might be sold, with the consent of the President of the United States; "but should any prefer it, or omit to take a reservation for the quantity he may be entitled to, the United States will, on his removing, pay *fifty cents* an acre, after reaching their new homes." (See 7 U. S. Stat. at Large, 333.)

Other reservations were made by a supplemental treaty concluded on the 25th September, 1830. (See 7 Stat. at Large, 340.)

On the 3d March, 1837, Congress passed an act authorizing the appointment of commissioners to ascertain all the Indians who were entitled to lands under these treaties, and who had not received them, and to report "whether any of said lands have been sold by the government," &c. (See 5 Stat. at Large, 180.)

This act was amended by that of February 22, 1838, which gave to said commissioners "the power of a court of record, for the purpose of compelling the attendance of witnesses," &c. (See 5 Stat. at Large, 211.)

An act, approved August 23, 1842, continued the foregoing acts in force until the powers of the commissioners were fully executed, and prescribed the conditions upon which the Indians should be entitled to patents for the lands reserved in the original and supplementary treaty, and for certificates for other lands where their reservations had been sold, &c. (See 5 Stat. at Large, 513.)

In case of the sale of a reservation by the United States, this act provided (see 3d section) that the Indians entitled to it under the treaty should

be entitled to a certificate for an equal quantity of land, "*to be taken out of any of the public lands in the States of Mississippi, Louisiana, Alabama and Arkansas, subject to entry at private sale.*" These certificates were to be issued under the direction of the Secretary of War, by an agent appointed for the purpose, and "*not more than one-half*" of them were to be "*delivered*" to said Indians until after their "*removal to the Choctaw territory west of the Mississippi river.*" Certificates for *one-half* of the land were, therefore, to be issued *before* their removal.

The early removal of the Indians who still remained east of the Mississippi was considered necessary for many reasons, and especially because it was earnestly insisted on by the people of the State of Mississippi. Accordingly, on the 3d of March, 1843, the Secretary of War made a contract with Alexander Anderson, by which he agreed to remove them by water from Vicksburg to Fort Coffee. (See report of Secretary of War to the House of Representatives, January 21, 1845, Doc. 107, 2d session 28th Congress.)

Efforts were made for their removal under this contract, but the Indians refused to go *by water*, and the contract was cancelled on the 4th September, 1844. On the same day another contract was made for their removal with Anderson, Cobb, Forrester and Pickens. (See pages 13 and 16 of Doc. last referred to.) These parties were paid \$26 71½ per each Indian removed.

The government appointed Colonel H. N. Barstow as agent to superintend the emigration, and see that it was properly conducted; and he repaired to the Indian country to enter upon his duties.

Efforts were immediately made to remove the Indians within the time fixed in the contract; but they refused to go until the certificates or scrip for their lands were issued. They desired these to pay their debts. The Secretary of War promised that it should be issued in September, 1844, but the promise was not complied with. The contractors were, therefore, placed in a most embarrassing position. By the condition of their contract they were required to remove one thousand Indians within the year 1844, or *forfeit the contract*. They were, under these circumstances, compelled to furnish the Indians, *at their own private expense*, those articles which were necessary for their removal, relying upon the promise of the Secretary and the provisions of law by which the Indians were to be furnished with land scrip to repay them.

This course was adopted by the advice of Barstow, the agent, who accompanied Forrester to New Orleans to make the purchases.

The testimony of Colonel John B. Guthrie shows that the articles thus supplied to the Indians cost the contractors the sum of \$15,496 29.

The same witness also shows that, after the Indians arrived at their new homes, they were also supplied with wagons, oxen and horses by the contractors to the value of \$3,345.

Colonel Barstow, in an official report, states that these articles were necessary to the Indians, that they were indispensable to their health and comfort, and that the difficulties in the way of removal were obviated by the course pursued by the contractors. (See summary of the evidence made at the Indian office, marked B.)

John B. Luce, who was the clerk of the government agent, corroborates this statement—not of his personal knowledge, but by what he understood from the parties. (See same statement.)

The aggregate of the sums thus advanced by the contractors at the time of the first removal was \$18,841 29.

Another removal took place in the spring of 1846, when it again became necessary for the contractors to supply the Indians with those articles of necessity, without which they could not remove. At this time Major William Armstrong was the agent of the government, and Luce was his clerk. He swears that the outfit thus furnished may be "fairly estimated at ten dollars to each person supplied." The number removed, according to the muster-rolls, is seven hundred and sixty-eight, which makes this item amount to \$7,680. (See exhibit B, from the Indian office.)

The Indians refused to remove, both in 1845 and 1846, without their horses and oxen. The agent of the government assured the contractors that, if they would subsist them, they would be paid by the government. (Luce and Guthrie both show this in their statements.) There were accordingly five hundred and fifty removed, (the contractors have charged for only five hundred and forty-nine,) which at thirteen dollars per head, (the price fixed by Guthrie,) is \$7,137. Precedent for this allowance is furnished in a similar one made when the Chickasaws were removed from Mississippi, in 1843. The department in that instance allowed twenty-five cents per day for each horse or pony, and estimated the travel at twelve miles per day. The same mode of calculation, the compensation in this case would amount to eighteen dollars and seventy-five cents per head, which is five dollars and seventy-five cents more than the contractors have charged. (See exhibit B, from Indian office.)

The Indians who were collected for emigration, and who dispersed because they were not furnished with their scrip, were supported by the contractors. It appears that they were supplied liberally, but the contractors are unable to specify the precise amount expended by them for this purpose. The character of their demand for compensation for this expenditure is fully set forth in exhibit B, from the Indian office, under the head of "item 5." They have charged five thousand dollars, which they state is less than the sum expended.

A number of Indians at another time were assembled with a view to emigration, and although they did not disperse, they were delayed some time by the negligence of the government in forwarding their scrip, and in the meantime were subsisted by the contractors. A detailed account of the rations issued by them was laid before the Indian department. Item 6, in exhibit B, makes the charge for these supplies \$1,505.

Under the head of "item 7," as stated in the account of the claimant, the charge of \$4,251 is fully explained. The charge is for the difference between the contract price for the removal of two hundred and sixty-two Indians, and the amount paid for their removal by the government by its own agents. The amount is not claimed as profit, but to reimburse the contractors for expenditures incurred by them in getting the Indians together and furnishing supplies prior to their actual departure for the west.

The preceding analysis of the claim presented by the memorialist, and of the grounds or evidence upon what it is supported, has been taken from the papers reported from the Indian bureau. The commissioner of Indian affairs refuses to allow the claim, but expresses an opinion favorable to it, as an equitable claim upon the government.

The contract for the removal of the Choctaws, in the performance of

which his claim *originated*, stipulated, among other things, that the contractors should in no event set up any claim for any further allowance than what was specified in the contract, and on this ground the Indian office appears to have declined paying any part of the demand now made upon the government. The committee are of opinion that any damages the contractors may have sustained by the default of the government should be paid, notwithstanding the provision in the contract above stated. It could not have been contemplated that any act of omission or commission by one of the parties should work an injury to the other and constitute no ground of redress. It appears that the contractors did sustain great damage, and were subject to great expense, not necessarily connected with the fulfilment of their contract, by the failure of the government to furnish the scrip in due time, which was to have been delivered to the Indians before their departure for the country set apart for them west of the Mississippi. Of the whole amount claimed by way of damages against the government, the sum of \$6,505 is based upon issues and supplies furnished to the Indians by the contractors on various occasions, when the Indians were assembled with a view to their immediate emigration, but dispersed, or their departure delayed by the neglect of the government in forwarding the scrip due them, which was to have been delivered east of the Mississippi.

There is no satisfactory proof of the specific nature or amount of the provisions furnished under these circumstances: but the committee are satisfied, from the facts stated in the report from the Indian office, that the amount demanded under this head is rather below than above the amount actually expended.

A further sum of \$7,139 is demanded by the memorialist for so much expended in subsisting and removing the horses and oxen of the emigrating Indians. This was not contemplated by the contract for removal, but as the Indians refused to emigrate unless they could take their stock with them, the agent of the government appointed to superintend the removal assured the contractors that they might rely upon the justice of the government for their remuneration, and they accordingly assumed the charge of their removal. This claim, the committee believe, cannot be resisted.

The charge of \$4,251 for the difference between the actual cost to the government in transporting a party of two hundred and sixty-two Indians and the contract price is made upon the ground that the contractors had borne all the charges for collecting these Indians, and for their subsistence and supplies previous to their actual movement, and during the delays and embarrassments which grew out of the accidental death of Barstow, the agent appointed by the government to superintend the emigration, and see that the contractors complied faithfully with their stipulations.

The committee therefore think this charge reasonable and proper.

But the larger part of the claim made upon the government consists of the outfit and supplies, other than provisions for subsistence furnished the Indians, both before they left the State of Mississippi and after they arrived west, and which were not included or provided for in the contract. These supplies, or so many as were furnished before the Indians set out from the State of Mississippi, it appears by the evidence were for the most part articles of necessity and comfort, without which the Indians could not be prevailed upon to emigrate, and without which most of them could not have been removed without great suffering and exposure. It further appears that the contractors furnished the first party of emigrants, after their

arrival west, with wagons, horses and oxen to the value of \$3,345, making in the aggregate the sum of \$18,841 expended in supplies which the contractors were not bound to furnish by the terms of their engagement with the government, but which they furnished voluntarily, with the understanding that they would be indemnified by the Indians themselves so soon as the government should put it in their power to do so, by the delivery of the land scrip which had been promised them.

At the time these supplies were furnished the law provided that one-half the scrip awarded to the Indians might be delivered to them east of the Mississippi, and that the other half should be delivered after their arrival west. The policy of this provision of the act of 1842 was undoubtedly to secure the emigration of the Indians, and in that aspect was wise and provident; but when in 1845, and after the contractors had incurred the large extra expense above stated in removing a party of some eleven or twelve hundred Indians, upon the faith of the law as it stood when they entered upon the business, and expecting to be reimbursed upon the delivery of the said scrip to the Indians on their arrival west, Congress, by a new law, provided that the half of the land scrip due the Indians, and which by the act of 1842 was to have been delivered to them after their arrival west, should not be delivered to them at all, but that the amount should be funded at the rate of \$1 25 per acre, and the interest only paid to them annually; the committee are of opinion that while the change of the law was dictated doubtless by a humane regard for the welfare of the Indians, yet that the government became bound, in justice and good faith, to make good to the contractors all losses or damages which accrued to them in consequence of the new legislation. The same humane policy which governed Congress in funding the value of the said scrip due the Indians, and thus putting it out of their power to dispose of it improvidently, equally forbids the exercise of any power which Congress may have over the annually accruing interest on the scrip funded, by requiring that it shall be withheld to satisfy the present claimant. By the fourteenth article of the treaty of 1830 those Choctaws who took reservations under that article were expressly excluded from any interest in the annuity stipulated in that treaty, and the committee are of opinion that they are intended to be excluded from all interest in the annuities due under any former treaty; and these were the Indians removed by the contractors. To withhold the interest due on the funded scrip would deprive them probably of their only remaining resource, save the labor of their own hands.

A further sum of \$7,680 appears to have been laid out in supplies by the contractors, not included in their contract, upon a party of seven hundred and sixty-eight Indians, emigrated by them in 1846. It is proved that these supplies consisted of articles chiefly of necessity, and without which the Indians probably could not have been induced to emigrate. This extra expenditure was made after the government had funded the scrip which was, by the act of 1842, to be delivered west of the Mississippi river, and does not stand upon ground of equal merit with the like expenditure on the party which emigrated in 1844-'45; but as the policy of removing these remnants of the Choctaws remaining in Mississippi is one called for by so many considerations of humanity to the Indians themselves, as well as of interest to the State itself, and as it appears that the Indians would not consent to remove without the supplies furnished in this instance, as well as in the former one, the committee think it but reasonable and just

that the government should indemnify the contractors. The contractors, doubtless, relied upon the liberality and justice of the government to remunerate them for this extra expense, as will appear from the correspondence of the agents of the government with the Indian office, and from their sworn statements exhibited by the memorialist.

It appears from the papers exhibited to the committee that the memorialist, William B. Hart, holds by assignment, either of the contractors themselves or of their legal representatives, the entire interest in the contract with the government under which this claim originated; and the committee, therefore, report a bill for the payment to him of the aggregate amount, which the committee think should be allowed by Congress.

D.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs, May 10, 1850.

SIR: I have the honor to communicate the information desired by you in your letter of the 30th ultimo, respecting the origin and history of the claim of the Creek nation, for losses sustained by that part of the tribe who were friendly to the United States during the last war with Great Britain.

The claim originated during the said war, and is for losses sustained in consequence of the claimants taking part with, and remaining friendly to the United States. It is based on the promise embodied in a communication from General Thomas Pinckney to Colonel Benjamin Hawkins, United States agent for the Creek tribe, of the 23d April, 1814, in which was stated the terms upon which peace would be granted to the hostile portion of the tribe, viz, that "the United States will retain so much of the conquered territory as may appear to the government thereof to be a just indemnity for the expenses of the war, and as a restitution for the injuries sustained by its citizens, *and the friendly Creek Indians.*" * * * * *

"You will please, sir, to communicate these terms to the friendly Indians, and to enjoin them, in the prosecution of the war against such as may continue hostile, to abstain carefully from injuring those who may be returning with the intention of making their submission. You may likewise inform them that the United States will not forget their fidelity; but in the arrangements which may be made of the lands to be retained as indemnity, their claims will be respected; and such of their chiefs as have distinguished themselves by their exertion and valor in the common cause, will also receive a remuneration in the ceded lands, and in such manner as the government may direct."

Those propositions resulted in the treaty concluded by General Jackson on 9th August, 1814, by which the Indian title was extinguished to between fourteen and fifteen millions of acres of land. Prior to signing the treaty, the friendly Indians called the attention of General Jackson to the promise of General Pinckney, with a view that a provision should be inserted for the remuneration of their losses; but the general declined, because his power to negotiate did not "extend to embrace by treaty, or capitulation, the promises contained therein." The Indians, however, agreed to sign the treaty on the condition, among others, that the said promise should be sent on with the treaty, saying, "We rely on the justice of the United States to cause

justice to be done us." (See American State Papers, vol. i, pp. 837, 857, and 858.)

By reference to vol. — Indian Treaties, p. 159, it will be seen that, by the treaty of 1814 the cession to the United States was intended to compensate the government for the expenses of the war with the hostile Creek Indians, that it was strictly of a military character—more of the character of a capitulation, with a pledge for indemnity, than an ordinary civil compact.

On the 29th August, 1815, the War Department informed Colonel Benjamin Hawkins, the Creek agent, "that it is the wish of the President that you should proceed to the liquidation of the claim of the friendly Indians to indemnity, upon the principles of General Pickney's and your letter to them;" the result to be transmitted to the department, to be laid before the President for his ultimate decision and approbation.

On 1st April, 1816, Colonel Hawkins made his report "on the claims of the friendly Indians for losses sustained by them in their civil war, agreeably to the terms of peace offered by Major General Pickney, 23d April, 1814, and the preliminaries to the treaty of Fort Jackson, of August following." He states that "it is imperfect, from the peculiar situation of affairs there, and cannot be otherwise till all the hunters are in, which is not expected till the last of next month."

According to the data before him, the aggregate of the claims which had been presented amounted to \$108,415 12½, and the amount of the same reported on favorably to \$78,360 75; and he states that, from the best information he has obtained, the whole amount of just claims will not exceed \$100,000.

The subject received the attention of Congress, and resulted in the passage of an "Act for the relief of certain Creek Indians," approved 3d of March, 1817, which authorized the Secretary of War "to cause the sum of eighty-five thousand dollars to be paid to the friendly Creek Indians, whose property was destroyed by the hostile Creek Indians in the late war, in fair and just proportion to the losses which they have severally sustained from such Indians."

It appears that a Creek delegation was in this city attending to the business of their people, in the winter of 1816-'17, and that they then had a talk with the Secretary of War on the subject; who said to them, among other things, "You have been a long time detained here, but our great council does business slowly, and you wanted to know, before you returned, how much money they would give to your people as a compensation for their property that was destroyed by the hostiles during the late war. The law which has passed on that subject authorizes the President to apply eighty-five thousand dollars to that object. The money will be sent to your agent, to be divided among the sufferers in proportion to their losses."

On the 20th March, 1817, David B. Mitchell, who had been appointed the agent for the Creeks in place of Hawkins, deceased, was furnished with a copy of the law above referred to, together with a copy of the estimate of Colonel Hawkins as to the losses sustained by the friendly Creek Indians, and told that it with other papers "were laid before the Committee of Claims, and the law was predicated upon them; but as it is general in its terms, it will be proper to pay the claimants mentioned in the estimate only a portion of their claims at present, as it is probable that there may be other claimants entitled to the benefits of the law who are not mentioned in the list furnished by Colonel Hawkins; therefore a final distribution of the

money should not take place until the whole amount of claims are ascertained."

On March 18, 1818, Agent Mitchel says: "I have now the honor to enclose a concise statement of the accounts presented by the friendly Indians for losses during the war, and of the application of the sum appropriated by Congress for their payment, by which it appears that a little upwards of \$100,000 is still due. The gross amounts of the claims presented, including the abstract made by Colonel Hawkins, is very little over or under \$300,000, but they were reduced by the chiefs to \$195,417 90." A copy of the statement enclosed by Agent Mitchell is herewith, marked A, showing that after applying the \$85,000 appropriated as aforesaid, there remained due to the claimants the sum of \$110,417 90.

The Creek nation, through their deputations sent to this city, repeatedly invoked the action of the government with a view to the payment of the balance due their people for the said losses. On the 28th March, 1819, the Secretary of War, in a talk to the delegation then here, said: "Brothers, you state that the sum which has been paid is not equal to the damages which you sustained in the late war, and that in justice you ought to receive the remainder. The power to remunerate you belongs solely to Congress, and when they appropriated the sum of \$85,000, it was estimated that it was sufficient. Whether an additional sum will be voted to remunerate you for your losses rests solely with the justice and wisdom of Congress." And again on the 6th of January, 1820, the Secretary said: "The claim of the Creek nation for further remuneration for losses sustained in the late war will be submitted to the consideration of the Committee on Indian Affairs, and should the claim be sanctioned by Congress, the amount will be immediately thereupon remitted to the agent to be paid to the nation."

The next action had upon the matter, as far as has been ascertained, was in April, 1824, when the Committee of Ways and Means, in obedience to a resolution of the House of Representatives, instructing them "to inquire into the expediency of making an appropriation to compensate the friendly Creek Indians for property lost and destroyed during the late Creek war," reported that it was "inexpedient to make any further appropriation to compensate the friendly Creek Indians for property lost and destroyed during the Creek war." The report was based on the opinion of the committee that the sum of \$85,000, appropriated by the law of 1817, was intended to be a full indemnity for all the losses of the friendly Indians, and was equal to any reasonable expectation. This, the report states, "appears to be manifest from the estimate by Colonel Hawkins, that the chiefs would have been satisfied, at the date of the treaty, with the sum of \$60,000; and in the letter of the acting Secretary of War to D. B. Mitchell, predicated on Colonel Hawkins's estimate, it will be proper to pay the claimants mentioned in the estimate only a portion of their claim at present, as it is probable that there may be other claimants entitled to the benefits of the law who are not mentioned in the list of claims furnished by Colonel Hawkins," &c. (See American State Papers, Indian Affairs, vol. ii, p. 492.)

And here I beg leave to express the opinion—from a careful and attentive examination of the whole matter, that the opinion of the committee was based upon a misapprehension of the facts as they actually exist, by not having before them *all* the papers in the department bearing upon the subject, and not discriminating as to the character of the claim actually submitted to them.

The facts as they really exist are as follows: The communication of General Pinckney embraces two propositions affecting the friendly Creek Indians, viz: 1st. *Restitution from the conquered territory for the injuries and losses sustained by them*; and 2d. That their claim to a portion of the land embraced within the lines of the tract retained by the United States as indemnity should be respected.

The claim submitted to the committee was that embraced in the first proposition of General Pinckney: but it is manifest that they arrived at their conclusion by regarding the statement of Colonel Hawkins, that he believed, at the time of the drawing of the lines of the land for the treaty, \$60,000 would have been received as an equivalent, as having had reference to the claim of the friendly Indians for losses of property, and injuries committed upon them by the hostile party; whereas it had reference to the amount the Indians would have been willing to receive for their portion of the land retained as indemnity to the United States, &c. (See document last referred to, p. 493, and to vol. i, same series, p. 837, statement of Colonel Hawkins, and the condition on which the friendly Indians signed the treaty of 1814.)

The misapprehension of the committee is further shown by their reference to the instructions from the acting Secretary of War, of 20th March, 1817, and by regarding the estimate of Colonel Hawkins, therein specified, as the paper in which he stated his belief that the Indians would have been satisfied with \$60,000; whereas the estimate adverted to was that embodied in Colonel Hawkins's letter to the War Department of April 1, 1816, and heretofore quoted from, in which he states that from the best information he had obtained the whole amount of just claims for losses would not exceed \$100,000. That paper does not appear to have been sent to the committee from the department. It is herewith marked B, and furnishes a key, I think, to the instructions to Colonel Mitchell, when he was directed to make partial payments only, until he had ascertained whether the \$85,000 would be sufficient to pay all the claims. Colonel Mitchell then proceeded, under his instructions and with the aid of the chiefs, to examine all the claims. The result, showing an amount of \$110,117 90 to be due, is, as before stated, herewith.

In the preceding remarks the request of the chairman of the committee to be furnished with a history of the Creek claim, and the views of this office as to its justice, has been complied with. The facts that constitute the history of the claim have been carefully compiled from the public records. The inferences from these facts are respectfully and cheerfully submitted; because, if they are erroneous, the committee will at once perceive the error, and come to a correct conclusion. The points of most importance in forming a conclusion satisfactory to myself were: 1st. The authority of Agent Mitchell to complete an estimate of losses, which was reported as imperfect by his predecessor, Colonel Hawkins. Colonel Hawkins's estimate, as far as he had progressed in making it, estimated the claim at over \$100,000, which was reduced to \$78,360 75. Agent Mitchell subsequently reported the gross amount as at about \$300,000, which the chiefs reduced to \$105,117 90. I think that the authority delegated to Agent Hawkins was continued by virtue of the succession to Agent Mitchell. 2d. Whether the committee, whose report is referred to, did or did not confound a land claim with a claim for indemnity for losses. I have furnished the chairman with the reasons that have led me to the conclusion that the committee

were inadvertently led into such a misapprehension; and, 3d. Was the appropriation of \$85,000 by the act of 1817, ever acquiesced in by the Indians themselves as a full equivalent for the indemnity claimed by them? Their repeated applications to Congress show that they did not so understand it or receive it. All the foregoing is most respectfully submitted.

Respectfully, your obedient servant,

ORLANDO BROWN,
Commissioner.

Hon. D. R. ATCHISON,
Chairman Com. Ind. Affairs, Senate.

CAVETAW, *April 1, 1816.*

I herewith transmit, in obedience to the orders of your department, a report on the claims of the friendly Indians for losses sustained by them in their civil war, agreeably to the terms of peace offered by Major General Pinckney, 23d April, 1814, and the preliminary to the treaty of Fort Jackson, of August following. It is imperfect from the peculiar situation of affairs here, and cannot be otherwise till all the hunters are in, which is not expected till the last of next month.

As soon as the terms of peace were offered I directed Mr. Limbaugh, assistant agent, to commence taking their claims; and after the treaty of Fort Jackson, ordered, in conformity with the direction of General Jackson, that he should continue until he had taken in the whole of their claims. The rule adopted was for the claimants to appear before him in presence of some chiefs of the town, give in a detailed account of losses, with the value affixed to each article, the account signed by the owner, and countersigned by the interpreter and assistant agent.

Upon receipt of the order to report on the claims, I proceeded to execute the same; but other public duties, a severe indisposition, and the defect in the vouchers as noted in the report, retarded them until the Indians commenced their winter's hunt, which was earlier than usual from necessity, and has not yet terminated. Added to this, the chiefs who convened at Tukawbatchee, having suspended the ratification of the treaty, and conducted themselves in relation to it in the manner detailed in the account of that transaction, I have not been able to prevail on them to come forward and afford any aid to enable me to execute the duties enjoined on me satisfactorily.

The speaker for the upper Creeks, who is more interested than any other, if his account is correct, has repeatedly declined signing his claim, or giving any explanation; and does believe, or affects to believe, by doing so it would render the treaty complete on the part of the nation, and be in violation of the advice he has received on that subject.

I believe, from the best information I have obtained, the whole amount of just claims will not exceed one hundred thousand dollars; and it is probable, upon a revision in the presence of the claimants, there may be a deduction in some of those reported on. If it should be deemed advisable to take order on this report, and appropriate money for the purpose, a sum not exceeding one hundred thousand dollars will be sufficient.

The claimants should receive by themselves, and not by attorney or order, to prevent speculation on them, which has already commenced by persons obtruding themselves on them, and trying to obtrude them on the govern-

ment, to secure the payment of their claims on shares for one-half or one-fourth. I shall continue, as opportunity offers, to complete the report from time to time, and will have a meeting in every town interested, as soon as I am apprised the claimants are coming in from hunt.

I have the honor to be, very respectfully, your obedient servant,
BENJAMIN HAWKINS.

WM. H. CRAWFORD,
Secretary of War.

Statement of claims for losses by the friendly Creek Indians during the late war, as liquidated and settled by the chiefs, in council, at Fort Hawkins, in July, 1817, and at the agency in January, 1818; also showing the sums paid and balance due.

1. Amounts liquidated for upper towns, at Fort Hawkins, in July, 1817	\$77,572 50	
Deduct this amount, paid at the same time	31,029 00	\$46,543 50
2. Amounts liquidated for lower towns, at Fort Hawkins, in July, 1817	29,775 00	
Deduct this amount, paid at the same time	11,910 00	17,865 00
3. Miscellaneous claims liquidated at Fort Hawkins, in July, 1817	27,157 00	
Deduct this sum, paid to these claims	10,862 04	16,295 00
4. Amount liquidated at the agency in 1818	49,524 00	
Deduct this amount, paid to these claims	19,809 60	29,714 40
Whole balance due		110,417 90

Recapitulation, showing application of the sum appropriated.

Paid to Upper Creeks in July, 1817	\$31,029 00
Paid to Lower Creeks in July, 1817	11,910 00
Paid to miscellaneous claims	10,862 00
Paid at the agency in January, 1818	19,809 60
	73,610 60
Paid Major Hughes, by special order of the chiefs	\$3,400 00
Paid $2\frac{1}{2}$ per cent. discount on sale of bills for \$83,000	2,075 00
Received by McIntosh, at Washington	2,000 00
	7,474 00
This balance, placed in the hands of the two principal chiefs, by general consent, to be applied to some cases of peculiar hardship otherwise unprovided for	63,914 40
Total	\$85,000 00

(a) \$83,000 of the money having been remitted in drafts upon the United States Bank, in Philadelphia, and the branch of that bank in Savannah refusing to pay them, this charge arose from the difference of exchange between Savannah and Augusta and Philadelphia at that time, and has been allowed by the chiefs rather than be delayed or run the risk of conveyance by an agent.

(3) When the first payments were made it was necessary, as the claims were not all received at that time, and the amount was much greater than the sum appropriated, to adopt some rule of proportion in making the payment. Two-fifths was finally determined upon: and this sum is the balance, after paying two-fifths of the whole claims liquidated. And as some cases have occurred which merit attention, but were excluded in consequence of the limitation, this amount has been set apart to relieve them by general consent.

D. B. MITCHELL,
Agent for Indian Affairs.

CREEK AGENCY, March 18, 1848.

E.

GREEN BAY INDIAN SUB-AGENCY,
December 6, 1849.

SIR: Since my letter of the 9th of November, I have been diligent in endeavoring to procure testimony for the department, to satisfy the seventh article of the treaty with the Menomonies, October 18, 1848. Up to this time positive testimony has been out of the reach of this office.

As a last resort, and for the assistance of the department, I have succeeded in procuring extracts from the letter-book of Colonel George Boyd, who was at the time agent for these Indians. Colonel Boyd has been dead for a number of years.

The extracts which I have the honor to enclose are correct copies from the original letter-book. The original letters are, I suppose, filed in the office of the Indian department.

In Mr. Edmond's report errors are spoken of in the footing, &c.; this document I would recommend to the department to examine carefully. It will also be perceived by the enclosed extracts of letters, that a less amount than the award was therein recommended for payment; but knowing as I do, all the circumstances, being at the time present, my duty towards these Indians, as their agent, impels me to recommend the payment of the whole amount, viz: \$4,724 23, unless it should appear on examination of the document in question that there is actually an error of figures, which I have no means of correcting. Again, I would remind the department that it is many years since these Indians received the assurance that this delinquency would be made good to them.

I trust this brief statement will assist the department in finding the papers connected with this matter; I will, in the mean time, gather such other evidence as I can elicit from individuals present at this payment, at which it is alleged the wrong was done.

Very respectfully, your obedient servant,

WM. H. BRUCE,
Indian Sub-Agent.

Hon. ORLANDO BROWN,
Commissioner of Indian Affairs.



PUBLIC SURVEYS

IOWA

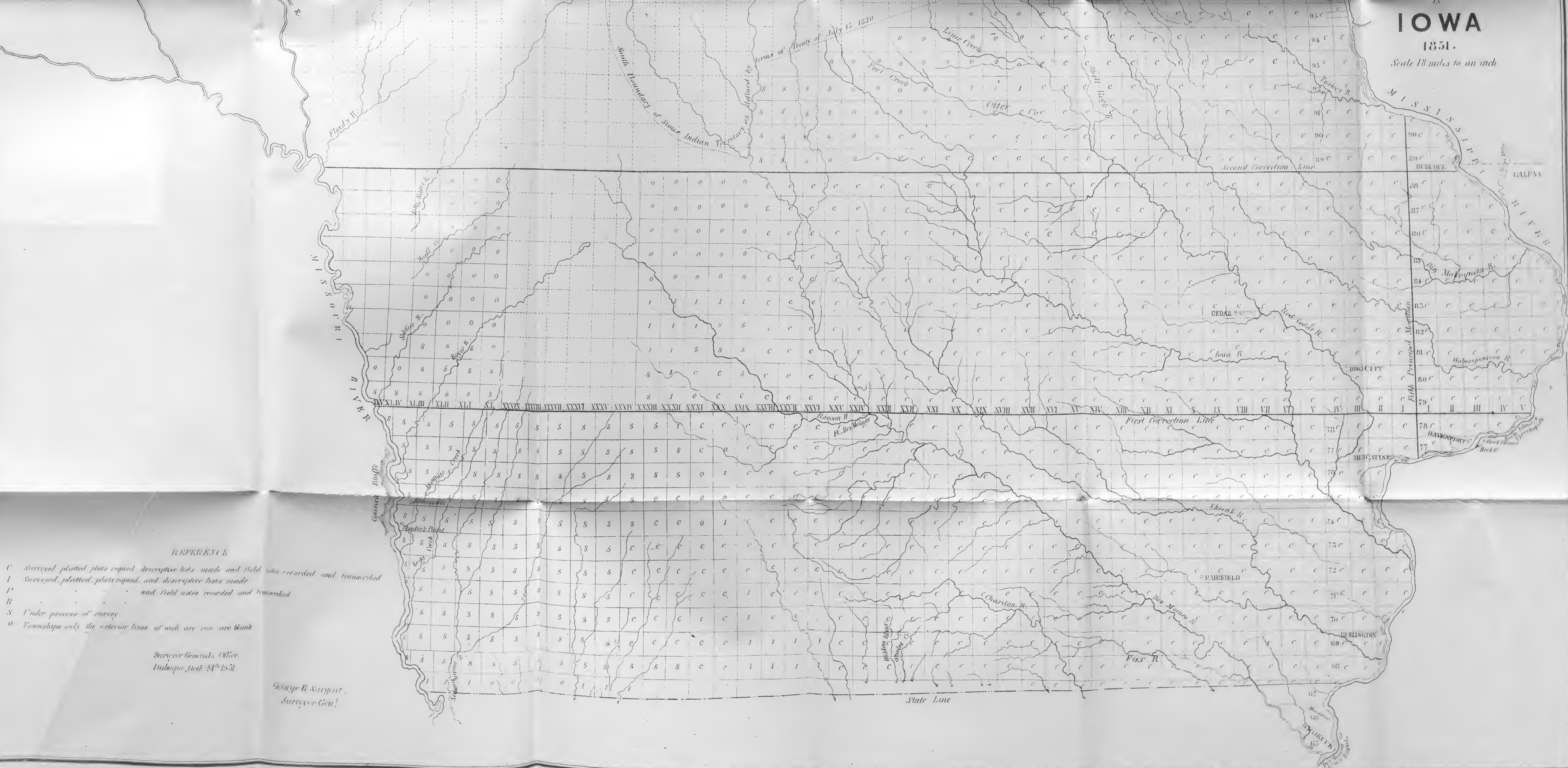
1851.

Scale 18 miles to an inch

IOWA

1851.

Scale 18 miles to an inch



REFERENCE

- C Surveyed, platted, plats copied, descriptive lists made and field notes recorded and transcribed
- I Surveyed, platted, plats copied and descriptive lists made
- P and field notes recorded and transcribed
- B
- S Under process of survey
- 0 Townships only the exterior lines of which are run are blank

Surveyor General's Office,
Dubuque, Oct. 24th 1851.

George R. Sargent,
Surveyor Genl.



I
MAP
OF
LOUISIANA

REPRESENTING THE SEVERAL LAND DISTRICTS

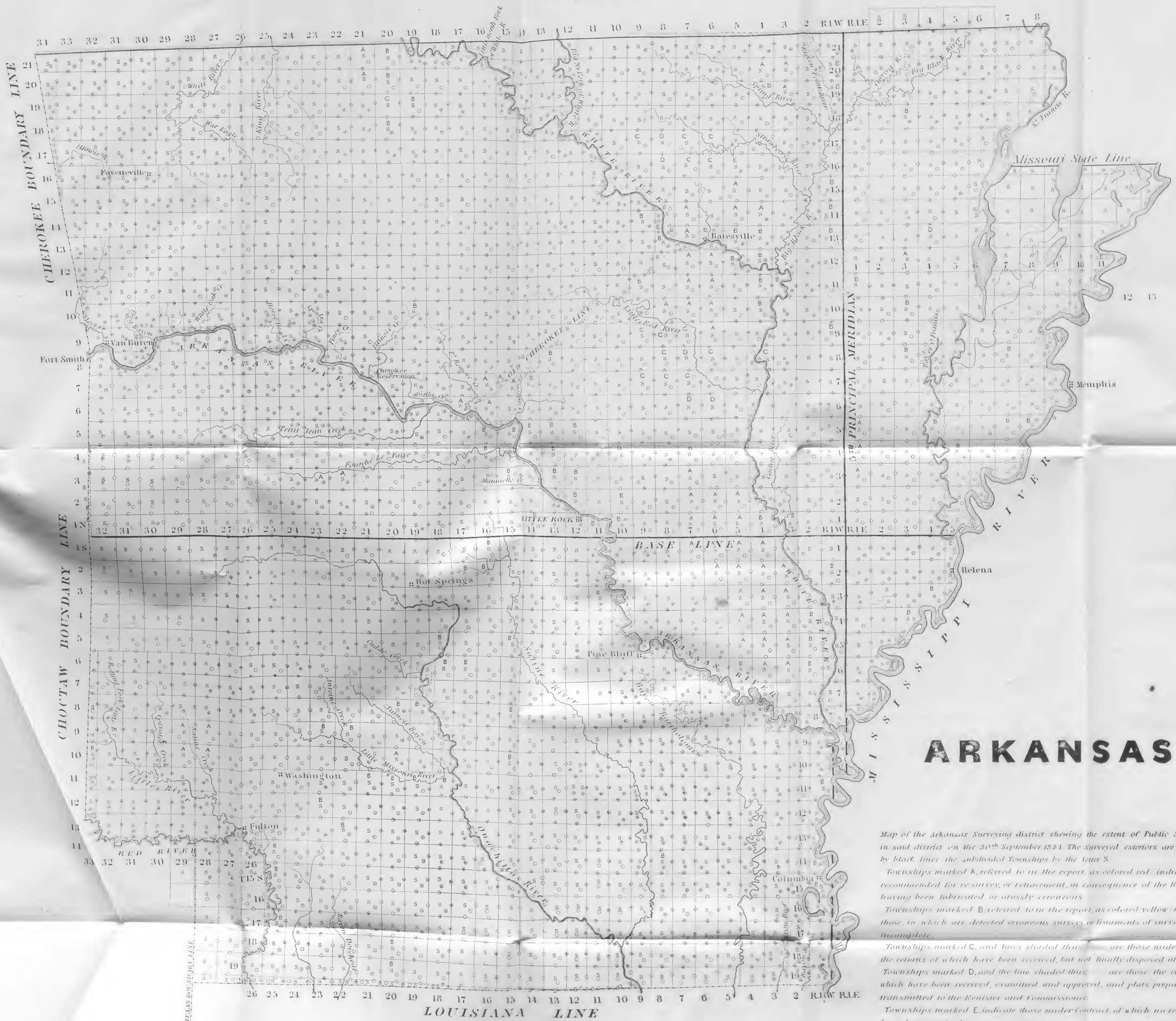
Prepared to accompany the Surveyor General's annual Report

References.

- A Townships which may require correction or additional Surveys when the Field Notes are properly extracted & examined
- B Proposed Original Surveys
- P Proposed corrective or additional Surveys
- C Townships under Contract
- D Townships requiring corrective or additional surveys
- S Surveyed and considered complete as far as practicable
- ST Surveyed but no approved Map on file in the Office
- M Unsurveyed and mostly unfit for cultivation
- + Townships in which Swamp lands have been selected

Surveyor General's Office,
Donaldsonville, La Oct. 27th 1851.
R.W. Boyd,
Sur Gen^l La

A. (1).



Map of the Arkansas Surveying district showing the extent of Public Surveys in said district on the 30th September 1851. The Surveyed exterior is indicated by black lines the subdivided Townships by the letter S.

Townships marked K, referred to in the report, as colored red indicate those recommended for resurvey, or retacement, in consequence of the field notes having been fabricated, or grossly erroneous.

Townships marked B, referred to in the report, as colored yellow indicate those, in which are detected erroneous surveys, or fragments of surveys, incomplete.

Townships marked C, and lines shaded thus are those under Contract, the returns of which have been received, but not finally disposed of.

Townships marked D, and the line shaded thus, are those the returns of which have been received, examined and approved, and plats prepared and transmitted to the Register and Commissioner.

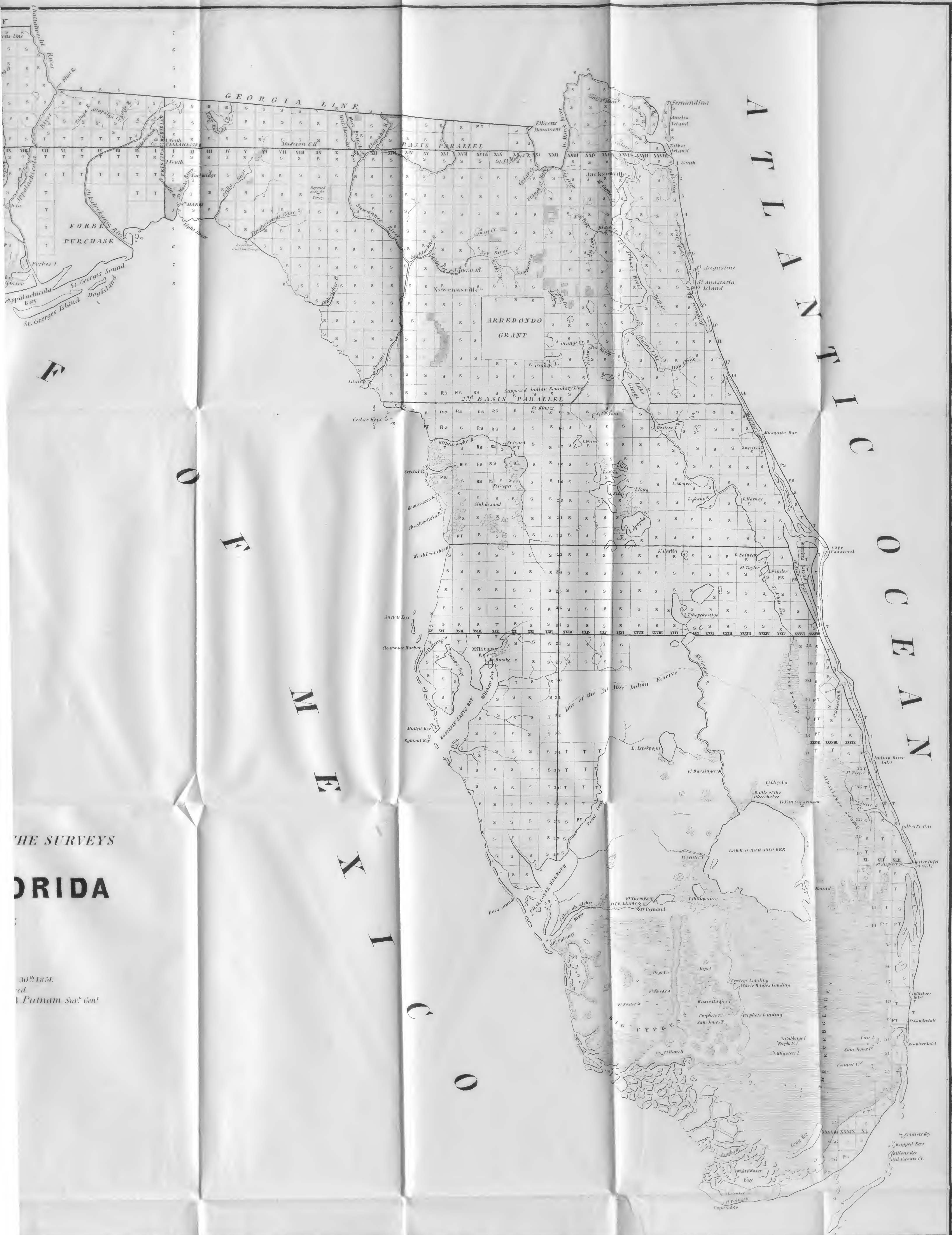
Townships marked E, indicate those under Contract, of which no returns have been received.

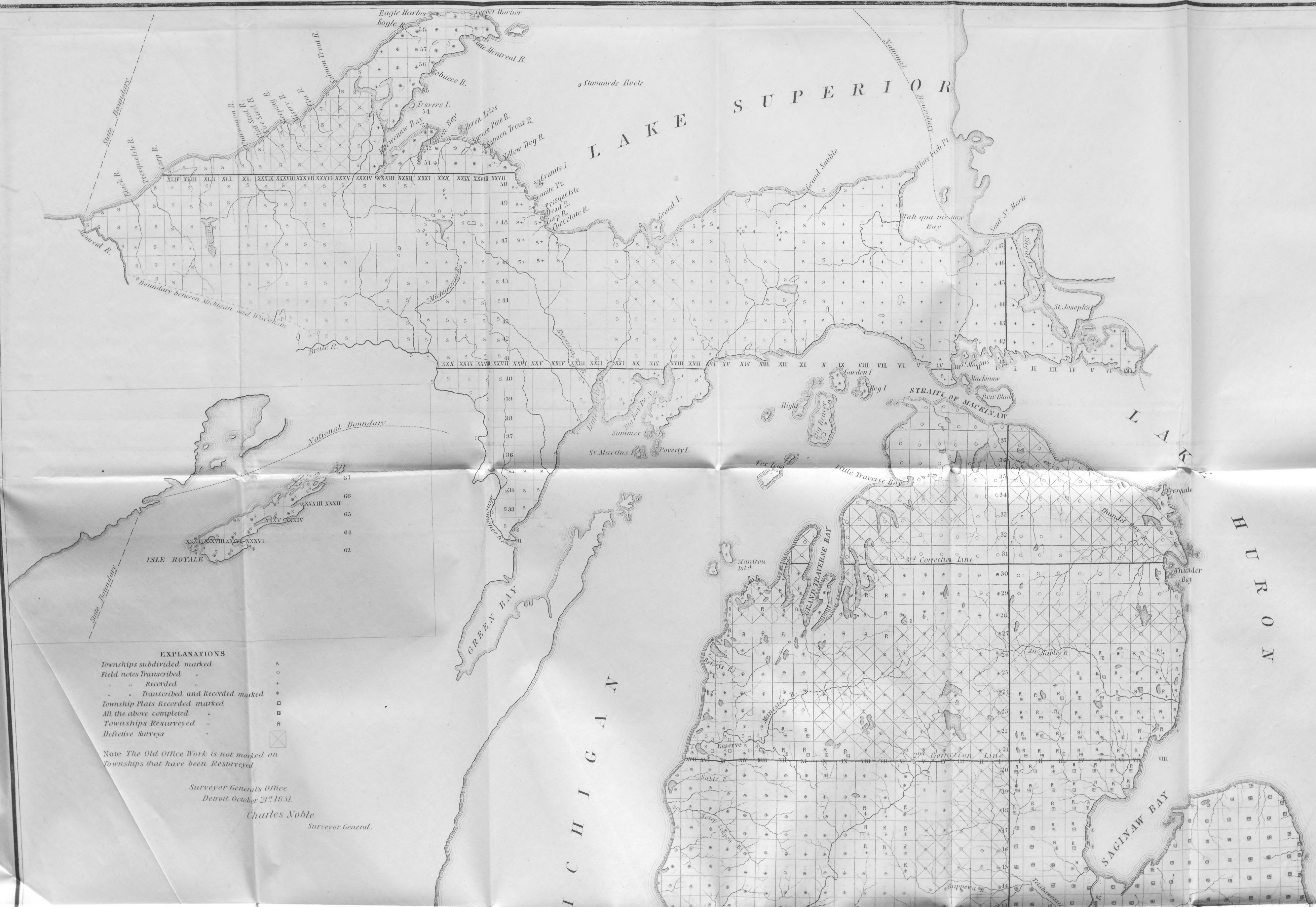
Surveyor's Office,

Little Rock Oct. 20th 1851.

L. Gibson

Sur Gen'l of Ark.





EXPLANATIONS

- Townships subdivided marked
- Field notes Transcribed
- " Recorded
- " Transcribed and Recorded marked
- Township Plats Recorded marked
- All the above completed
- Townships Resurveyed
- Defective Surveys

S
O
+
□
□
R
X

Note The Old Office Work is not marked on Townships that have been Resurveyed.

Surveyor General's Office
Detroit October 21st 1851.

Charles Noble
Surveyor General.

State Boundary

ISLE ROYALE

EXPLANATIONS

- Townships subdivided marked
- Field notes Transcribed
- " " Recorded
- " " Transcribed and Recorded marked
- Township Plats Recorded marked
- All the above completed
- Townships Resurveyed
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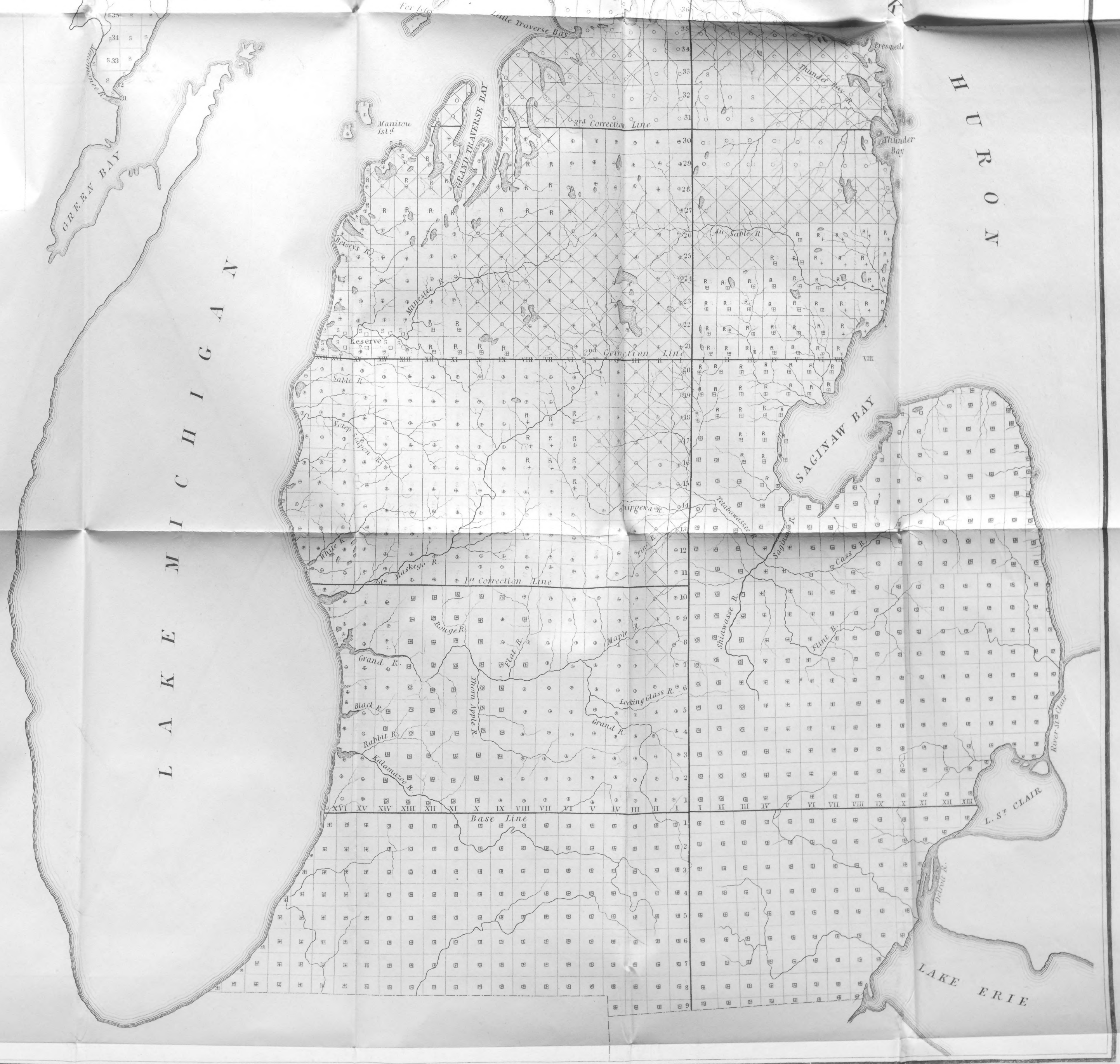
Note The Old Office Work is not marked on Townships that have been Resurveyed.

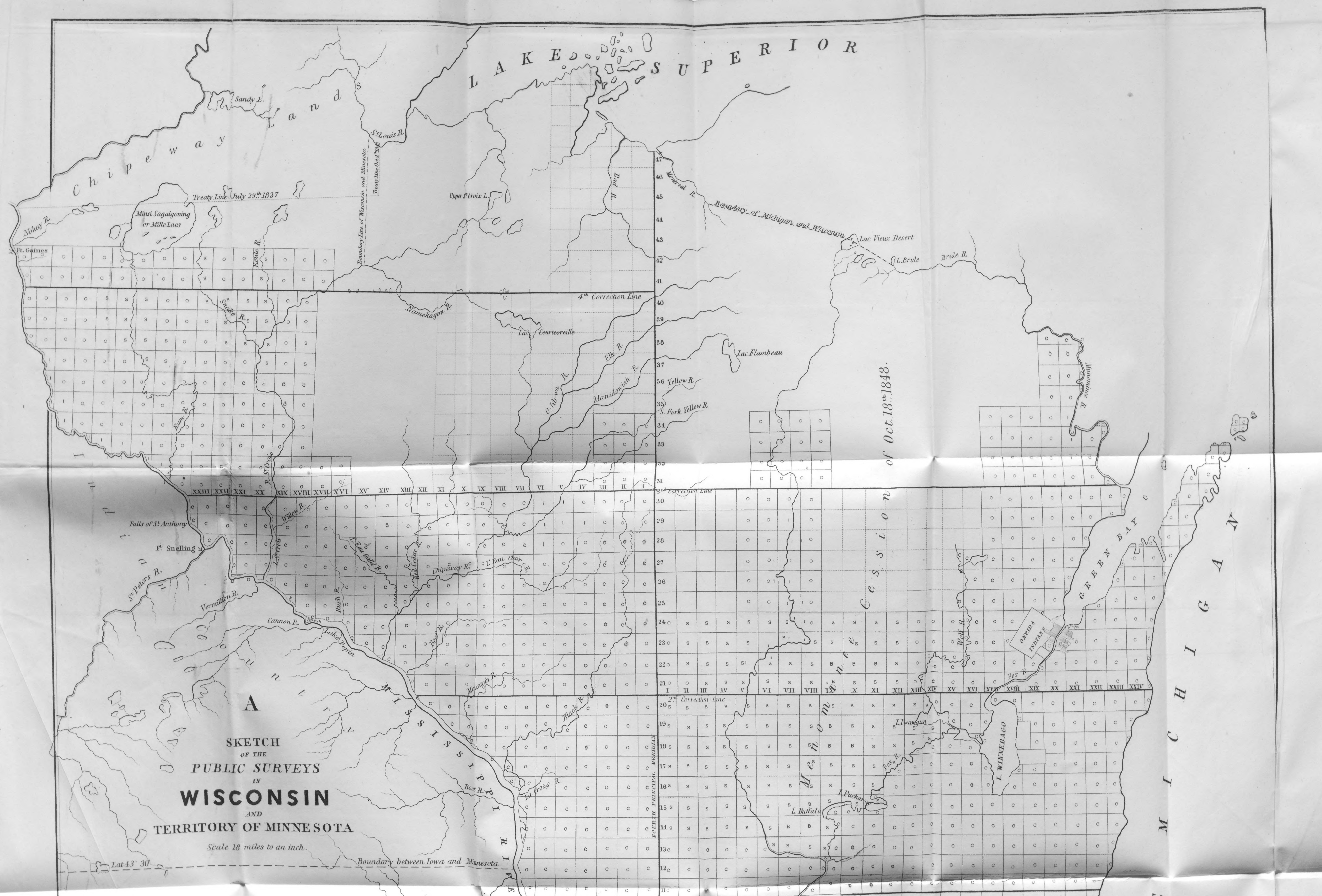
Surveyor General's Office
Detroit October 21st 1851.

Charles Noble
Surveyor General.

G
SKETCH
OF THE
PUBLIC SURVEYS
IN
MICHIGAN

Scale 18 miles to an inch





SKETCH
OF THE
PUBLIC SURVEYS
IN
WISCONSIN
AND
TERRITORY OF MINNESOTA

Scale 18 miles to an inch.

Lat 43° 30'

Boundary between Iowa and Minnesota

REFERENCE

- c Surveyed, platted, plats copied, descriptive lists made and field notes recorded and transcribed.
- I " " " " and descriptive lists made.
- V " " " " lists made and field notes recorded.
- N " " " " and field notes recorded.
- P " " " " and field notes recorded and transcribed.
- B " " " " " "
- s Under process of survey.
- o Townships only the exterior lines of which are run.
- Blank townships are those the exterior lines of which are being run.

Surveyor General's Office
Dubuque October 24th 1851.

George B. Sargent,
Sur. Gen.

Dubuque

